go around and take orders from somebody. Is that why I am ready to face all kinds of attacks and discrimination against me and my family? This is a big lie about getting orders. Well, then, half the world is getting orders from somewhere or other. In France they say because the Communist Party controls one-third of the votes in the country, they say they are foreign agents. You mean Moscow is paying to have those Frenchmen in the Party? In Italy the Communist Party gets eight million votes. You mean to say those people are getting paid by Moscow?

Ladies and gentlemen, this is the idea that we fight for. You can't buy it with money and whether you believe in [fol. 1805] it or not I will show you the effectiveness of this idea, as best I can through the course of this trial through my witnesses; what it is and what it is not.

Then they say, the prosecution argues, and I will show you this monstrosity and fakery, the kind that only a Mussmanno can concoct, because we fight for peace. They say, "You are against the United States"; that is what they say. What they are really saying is that the "United States should want war." And they call themselves Christians. These gentlemen (indicating), they call themselves Christians. They go to church Sunday morning and on Monday they go and say, "We want to kill people somewhere." Christians!

I am going to show you, ladies and gentlemen, that it's not a crime to be an Internationalist. In fact, the best people in the world have an international outlook. It doesn't mean that you must necessarily be against your own neighbors and so forth. Lincoln, for example, made a statement, and I will put that statement in, to prove to you ladies and gentlemen in the course of this trial, what he said.

"The strongest bond of human sympathy outside of the family relations should be one uniting all working people of all nations and tongues and kindred."

Workers in various countries have no reason to hate us and we don't have any reason to hate them. The corporations, ladies and gentlemen, the very Mellons that [fol. 1806] own Westinghouse, run the big electrical in-

dustries in Japan right now and if they can produce motors in Japan for less money than they can produce them here at Westinghouse, that is where they are going to produce them, where they are going to make money. Is that going to be for the good of the American workers? No. They are going to lay us off. You see, they got an International cartel, an International outlook, so the working people do have an International outlook, whether it is good for the working people or not. In one country we increased wages so that the other corperations can't come in and make a profit on them. Is that good for the people here in the United *Stations?*

Now, there was much said here and I will show you that this term Marxism-Leninism is not the monstrosity that the prosecution wants to make of it. I am going to show you, ladies and gentlemen, whether you agree with the idea or not, whether this is the first time you ever heard about it and the chances are that you never saw a Communist before talking in front of you. Chances are you never read a book by a Communist. All your life you have been reading stuff against it and my purpose is not to show you what I believe is something that you have to believe in but I am going to show you, ladies and gentlemen, that it's a great idea, whether you agree with it or not, Marxism-Leninism.

Marx was a giant recognized throughout the world [fol. 1807]. There isn't an economist in this country or world who have studied political economics who doesn't study Marx. Only the charlatan reads it in a hurry, like Musmanno claims he had. A hundred years ago he wrote the Manifesto and today, ladies and gentlemen, after he has been dead for nearly sixty years he is known ten times more than he was known when he was alive; that is something! Where are his contemporaries? Can anyone name who was the Prime Minister of England at the time when Karl Marx wrote the "Manifesto"? Only a handful of historians could tell you that. They are gone and forgotten; gone with the wind because they created nothing, they left nothing for the human race and Marx was subjected to hardships, exiled from France, exiled from Belgium and was finally able to live in London. Persecuted,

his family starved, and he sat and wrote these books that half the human race is now beginning to get acquainted with and it won't be long until the other half will know a great deal more about it than they do now.

He was a great scholar and thinker. Even his opponents recognized that they could not win an argument or debate with him, be it on politics, be it on history, be it on economics, be it on social science.

After him Leninism is talked about. Lenin came on the scene and he too was persecuted and exiled and spent years in Siberia in a hut living with the peasants with a [fol. 1808] guard on the outside watching every move he made. Exiled from there he ran away and lived in Europe and then went back and helped the Russian people set up a new government; overthrow the Czar, which was one of the most despotic rulers in Europe at the time, and set up a new system of government.

Well, there is a lot of talk being made about Stalin. I will show you that he devoted over fifty years of his life to the struggle, the very same thing I am speaking about here. He started for the priesthood as a young boy but was kicked out of seminary because he caught on to the idea that Socialism is going to do something for humanity that no other thing has been able to do in the past and he was exiled and persecuted and he participated in the writing of these books and he is a great statesman and no one will deny that. In fact when George Bernard Shaw died, the only picture found in his home was a picture of Stalin. Now, he was not a Communist. Only pygmies will go around and say things that the prosecution has said about him here. When I say, "pygmies", I mean mental pygmies whose brain you can put in a thimble.

The Court: Do you wish to take a recess at this time?

Mr. Nelson: Yes.

Recess.

[fol. 1809] Mr. Cercone: May we approach the bench, your Honor?

The Court: Come forward, gentlemen.

(At side Bar)

Mr. Cereghino: Your Honor, I think his opening is really a closing.

The Court: Well, there is a lot of argument to it but nevertheless he has got a right

Mr. Nelson: I am going to prove

The Court: Limit yourself to what you are going to prove and your will have another opportunity to argue your case.

Mr. Cereghino: I want to object to it as all being argument.

The Court: No, just let him go. If there is anything so far out of line I will stop him but he is going to explain his intentions on it and the means of doing so, but don't [fol. 1810] get into argument with the jury.

Mr. Nelson: I will try to avoid it but I am not experienced on those things.

The Court: You are getting enthusiastic about your points and going into argument. Later on you can do that but outline your case and limit yourself to outlining the case.

Mr. Nelson: All right, your Honor.

(End of side Bar)

Mr. Nelson: Ladies and gentlemen, I was telling you about Marxism-Leninism. I will show you in the course of this trial that this is not such a monstrosity as has been painted here by the prosecution. Of course, they have good reason to argue that it is something terrible. They have reasons to say that these ideas are just as bad as the United States Steel Corporation had to say that unions are bad; the same reasons. They had the reasons and they could always get witnesses to substantiate something they said. There [fol. 1811] are always people who can be bought and say, yes, that's what they are doing. I will show that to you, ladies and gentlemen.

I want to show you, ladies and gentlemen, in the course of this trial, through my witnesses, what Marx had discovered. What is in these books is that which they had found in the world, that the human race has gone through certain developments, through certain stages. We haven't always had the same system as we have now. Of course the prosecu-

tion will tell you that God himself created the system and it's here to stay forever.

Now, Marx points out what is wrong with capitalism. I will show you that this handful of people have the fate of the human race in their hands; they rob the rich, they exploit the people, they make profits for themselves and he says that this was wrong; that that led to unemployment, as I will show you, and that that leads for struggle for markets, where to get raw materials and how to exploit other people and that leads to war. That is what Marxism-Leninism shows and I will show you here and that is why these people are trying to put these books on trial. The present rulers think that all the things of nature were put there for them to wallow in and Marx, as I will show you, indicated that that is wrong, that those things should be used for the people.

[Furthermore, ladies and gentlemen, I will show you [fol. 1812] that what seems to be a sort of a terrible thing in this court room, because the prosecution has brought it in, Marxism-Leninism, that nearly half of the human race today lives under the leadership where the Communists are in power. That is hard to believe. Some people can't figure it, these people can't figure it that those things are happening under our very noses in our generation, in our lifetime, my lifetime, that the human race has decided to go on the road to Socialism and that is why these people become panicky here and say, "Lo and behold, if it happens somewhere else it may happen here. The way to stop it", they say, "is to put this guy Nelson and the Communists on trial: put them in jail, salt them away for a lifetime and no new ideas are going to be brought forth." That's the idea here and that is why Marx's books are on trial.

Well, ladies and gentlemen, Hitler tried that and it didn't work, so did Mussolini, and he ended up by hanging by his heels in a gas station; and so did Tojo and that didn't help and Chiang Kai-shek took millions of dollars in money from us, taxpayers money, and the Chinese people just swept him out into the sea. Yes, they took away the riches from the rich and are using it for the people in those places. As I will show you, you can't take a factory and say, "I am going to get a bunch of men to work for me and they are

going to produce twenty dollars a day for me and I will give them ten." "Nonsense," they say, "you're crazy [fol. 1813]. What we produce we'll share among our people." Those are the Socialistic ideas advanced by Marx and Lenin and Stalin and, ladies and gentlemen, I think those are pretty good ideas. In our country it will be ten times better than in those backward countries where in industry there are trained workers, engineers who know how to handle those things. I will show you in our country we could work four hours a day and get two months vacation with pay if that was the situation. You are not going to get it as long as the steel companies own the industry. They don't get anything out of you when you are not working for them. They only make a profit when you work and that is why these boys don't like to have these books read and discussed.

Ladies and gentlemen, there was a lot of talk about what Socialism would be here and I will tell you what it would be. They are talking about—they take quotes from the "Manifesto". "The Communists want to do away with private property," they say. That is what Musmanno said here. Ladies and gentlemen, do you know that half of Pittsburgh and Allegheny County is owned by six companies? I can name them for you and the rest of the people own about 40% of what is left here. All the other people and six corporations own nearly 70% of the wealth here. What I am talking about is that that wealth, that which was owned by these corporations, should be nationalized and used by the people. Not a house and a garage [fol. 1814] and a car and a little store that you or somebody else may have, and yet they take a quote from the "Manifesto", and they say, as I will show you, that "the Communists want to do away with private property." We want to do away with the monopolies, with the property that is owned by these big giants. Morgan, that controls the Pennsylvania Railroad and U. S. Steel and Pittsburgh Coal; Mellon, who controls the Aluminum Company, Westinghouse, the Traction Company, Duquesne Light and down the line—Crucible Steel and so forth. Those are the things and not the little home that you have out in the suburbs. In fact, you would have a better one than

you could possibly have now if somebody didn't rob you and steal the things from you. And, ladies and gentlemen, I believe that the majority of the people have a right to decide that. We believe that this cannot be done until the majority of the people are ready for it. Now, that is my contention——

Mr. Cercone: I am going to enter an objection here on this speech. He has gone far out of line. The charge against this man is wanting to overthrow the government and he is telling the jury about things not even in the case. He is giving the jury a great speech.

[fol. 1815] The Court: He has gone into his intentions and in your case——

Mr. Cercone: But the way he does it. He is charged with advocating the overthrow of the government.

The Court: That he can explain to the jury. I am letting the man outline his case and what his contentions are, what his theories are and support is by——

Mr. Cercone: I submit that that is not the case.

The Court: Oh, yes, it is. Go on.

Mr. Nelson: Ladies and gentlemen, as I will show you——

The Court: I am limiting you, however, to argue your case later. Just outline it now.

Mr. Cercone: That's what I mean.

[fol. 1816] Mr. Nelson: Your Honor, they have raised the question that "they want to overthrow the Government," that we want to do away with the minority clique.

Mr. Cercone: We proved——

The Court: You proved nothing until the jury decides the issue.

Mr. Nelson: The only thing you proved is that you're in the court room.

The Court: Proceed. We will have no argument between the defendant and counsel for the Commonwealth.

Mr. Nelson: All right, I'm sorry.

The Court: You outline your case and proceed.

Mr. Nelson: The prosecution——

[fol. 1817] The Court: I ruled on it and I am telling you to proceed.

Mr. Nelson. They have raised a question that a majority that we want to do something to overthrow a minority. I will show you, ladies and gentlemen, that it's impossible to accomplish these aims until the majority believes them. That is my belief, ladies and gentlemen, and the majority has a right to decide when the people of this country are ready, when they tell the Legislators, "We want to have laws enacted to nationalize these industries and run them for the people." I say they have a right to do it and they will do it.

They talk about force and violence by the minority. I will show you that it is nothing but extracting of a few words that apply to different countries, to different conditions. These are general books, the same books are read in Germany. In Germany the apply, yes. There the German Communists have to use force to overthrow Hitler but in the United States we read those works differently, as I will show you, ladies and gentlemen. We read that so long as Democracy exists we will have a chance to advocate these things and when the majority believes in them, they decide what to do with them, what they want. That is my contention, ladies and gentlemen, and that it not what they told you.

[fol. 1818] I will show you, ladies and gentlemen, that Socialism will do away with unemployment, insecurity and war. I will show you what the terrible last depression did to our nation, fifteen million people jobless and incidentally, the only thing that kept the wheels of industry finally going in high gear was war and I submit, ladies and gentlemen, that if the system has to be dependent on prosperity because there is either preparation for war or war, there is something morally wrong with it and I have a right to question it and I have a right to propose a change. My proposal is that Socialism is the ownership of industry through the State, through the people.

We will show you, ladies and gentlemen, in the course of my defense, from my witnesses and through my presentation of the case to you, as I have already indicated, we favor majority rule; that the force and violence that they are talking about is practiced by a minority that doesn't like to give up these riches, just like the slave-

owners didn't want to give up the slaves and organized to overthrow Lincoln's government. At the time they used force and violence, as I will show, and not the people, not the common people; they wouldn't submit. Well, ladies and gentlemen, if these, as I will show, were ready to do that against Lincoln's government on the issue of slavery, I am not sure, but it isn't right that this minority, when [fol. 1819] the majority of the people in this country decided to nationalize these industries, they are going to organize their private gangs and hoodlums and stooges to protect their property rights, which are likely to be nationalized; that is possible. And I could say, no, it's not so, in order to encourage favor with somebody here but no, I will not say so if I thought it was wrong, even if it costs me my life. Ladies and gentlemen, these are important things. These things have to be truthfully stated and my defense will do that. I will not compromise on the beliefs that I have but I will not take the monstrosity, ladies and gentlemen, that the prosecution has brought forward here as being my views.

In the course of this trial, ladies and gentlemen, I will expose the specific lies made here by the statements of the witnesses of the prosecution, who, in my opinion, cut a miserable figure on that chair; all of them, Judge Musmanno, who is a member of the Supreme Court, Cvetic, and Crouch, White and Patterson. Every one of their lies will be exposed. Cvetic lies about killing one-third of the American population. I think you already saw that that is a lie and I will expose the so-called lie about the use of machine guns here. Reference to machine guns, that I said to someone, "Not now, we're going to use them some other time," and his lie about infiltration of industries, I will expose as being nothing else other than the [fol. 1820] wish to work among workers in the industry who ought to listen to my point to you on various questions; that was all there was to it, and stay in these industries without being fired; that was all.

Ladies and gentlemen, I am going to show that this case rests, so far as the prosecution is concerned, on a stool-pigeon, and stool-pigeons are available a dime a dozen ever since the time of Christ. The most famous

stool pigeon in the world is Judas, as everybody knows. What did he say? What did Judas say? "What will ye give me and I will deliver Him unto you?" "What will you give me?" was the term of Judas. And then what was his job? All he had to do was go up to Jesus and kiss him on the cheek and say, "Master, Master." Just like Cvetic was yelling, "force and violence. Overthrow the Government." He said, in every class that he went into. For thirty-four pieces of silver this time and not thirty pieces of silver as Judas got. They used Judas, as these people, as a witness, and you recall the term of the Bible, "Then they bore false witness," saying—this is what they said against Jesus, that He said, "I will destroy this temple," just like this guy says, "I will destroy this Government," "I will destroy this temple." They said that for thirty pieces of silver and a mess of porridge. They also said this, which was the charge against Jesus, "We found this Fellow perverting the nation." "Perverting the nation." So that you could see Patterson, who worked for seven cents an hour, work [fol. 1824] up to thirty-four dollars a day—quite a little jump and he has goodly reason to lie, as I will show. He knows his nonsense about the talk in the Soviet Union occurred when I came back from the Soviet Union that I made a tour and I spoke in the Anthracite Region. I made at least fifty speeches on what I have seen and being that I was in the mining region, I was interested, ladies and gentlemen, to tell the people what I had seen; the mine that was owned by the big coal operator, owned by the people, and up there where there used to be shacks, sixteen people living in one room in the Czar state, there were new villages and towns built up and modern homes and such in the short thirteen years after they drove out the rich and took over the country. Yes, I spoke about that, there is no secret about that, but that they wouldn't tell you.

Now, ladies and gentlemen, this is not the first sedition trial in our country, as I will show you. Thomas Jefferson was tried on sedition and so were his friends tried on sedition. James Madison was charged with sedition; Gallitin, the great member of our State here, a member of

the Cabinet under Jefferson, was likewise charged with sedition. Why? Because they didn't want a war against France at that time which England was trying to organize and Hamilton and that group in this country wanted to organize. They called them "French Agents", like I am [fol. 1822] being called a "Russian Agent" because they said there is no reason why we have to go to war with France; France has a right to organize her life as they see fit, and there were judges who traveled the country and they tried these people on sedition. Judge Cox went from state to state and people were tried, including a Congressman by the name of Lyons from Vermont was tried on sedition and was thrown in jail because he opposed that war and, ladies and gentlemen, while he was in jail he was re-elected to Congress by the people again and when Jefferson became President, the Sedition Laws were thrown out of the country and were forgotten up until 1919 when in this State the big corporations wanted to stop the organization of the steelworkers and they got this law passed again. And under this law I am being tried, ladies and gentlemen, and this law was used during the Palmer days, after 1920.

I am now being tried under this law because I speak for peace; because I speak for Socialism; because I am opposed to war. For two years now in Pittsburgh, over two years, ladies and gentlemen, I have been subjected to merciless attacks on the part of the Press and radio that I daresay there isn't a person in this City that doesn't believe that I eat at least two babies for breakfast every day. What they have done is work up hysteria from the first day I returned here. Well, these papers are owned by the same boys that own the mills and if you want to [fol. 1823] be a newspaperman you got to write what the boys say or what the boss likes, and unless you do, you have no job. If you want to be a radio man and every time you do tune in to listen you get KDKA, owned by the Mellons. You think those boys are going to give me a break at any time? They got the people of this community so worked up they are sure that there must be something wrong about this guy Nelson, he is a Communist. I will expose those things, ladies and gentlemen,

My wife and my children have been subjected to unmerciless persecution around here. I can't get a doctor in this town. When a doctor gives me a prescription he says, "Please take off my name so in the event you are picked up or arrested they won't know who treated you." And the same about the druggist.

The Court: Well, Mr. Nelson, you are going a little beyond the realm of outlining your case and you are being argumentative. Limit yourself to just outlining the case.

Mr. Nelson: I will be brief, your Honor. I am not a lawyer and I sort of go off the point I want to show and now I'm going to show—and I hope the jury will bear with me, I won't be too long on this point—my Party is being persecuted, as I will show, because we fight for these things I have indicated; for the daily things that the people need and we go along with a lot of other people [fol. 1824] that fight for various things, the F.E.P.C., as I will show you, against the Taft-Hartley, against inflation and all these questions we have fought along with the other people who are interested in those issues.

Ladies and gentlemen, I will have experts explain my points of view; these quotations in the indictment. They will be people who will be qualified to discuss the question. You will have a chance to compare them with the prosecution's witnesses; you will have a chance to judge for yourself whether or not these people are capable or able or will and are telling the real truth. I will have real experts on Marxism, ladies and gentlemen, and I am sorry if we are going to have to go into the matter of books and quotations. The prosecution has called for it and I have no other way to meet it. There are thirty quotations in the indictment and we are going to tear them apart one by one by people who know what it is, who are honest and who are not lying for money, whose integrity is unquestionable and you will have a chance to see what we mean by those quotations. Naturally it will be hard to listen to quotations but I hope you will bear with me. You agreed to be on this jury and I hope you will listen to these quotations, maybe for the first time they are hard to listen to. Sometimes they are abstract. I know. I

had a hard time understanding them the first time. So when you hear them for the first time I hope you will [fol. 1825] listen while we do present the quotations to you, what they are or what they are not, I can guarantee you that we will tear that indictment to shreds. I hope you will be able to rise against the prejudice that I spoke about in this community and give these things the necessary weight because I am not the only one on trial here, ladies and gentlemen, Democracy is on trial, that is what is on trial.

Listen to my defense, though you may disagree with my views, my purpose in stating to you is not to convince you. Now, in this I am sort of at a disadvantage here as to what my real views are. I am not going to do that, I am merely conducting my defense, ladies and gentlemen, and now to show briefly what my views are. My purpose in doing this is to ask you to listen to these things and see whether they are criminal or not; I contend they are not, and I am asking you, whether you agree with my views or whether you bitterly disagree, there is one issue here that if there was no crime intended, if there was no crime committed, then you must give me the right to advocate my views. That is the issue. That is what America is. I may disagree with your views, they say, but you can fight to the death and defend your rights to say them. That was the period of Roosevelt but now we are going on another road. They says it's a crime to advocate peace. I say it's not and I'll show you. They say it's a crime [fol. 1826] to advocate peace, while they support and advocate and actually make war and make lots of profit out of it and you don't see any Heinzes or Mellons over in Korea, do you? They are right here coining in bloody cash when the sons of coal miners and steelworkers are sent over there to fight against the dangers eight thousand miles away.

The Court: Don't argue, Mr. Nelson. Argue after the case.

Mr. Nelson: I am winding up and I will finish up in a few minutes.

The Court: Just don't indulge in argument at this time.

Mr. Nelson: Ladies and gentlemen, the time is coming when these things are going to be seen through by the people. Right now it's hard but they will be through it. My defense will be not to beg for forgiveness, not to beg for forgiveness for I committed no wrong. I will show that the crimininals are, ladies and gentlemen, with those that are trying to persecute me.

Thank you.

The Court: We will recess at this time until one o'clock when the first witness may be called.

[fol. 1827] Afternoon session.

Dr. Herbert Aptheker, as witness called by the defendant, being duly sworn, testified as follows:

Direct examination.

Mr. Cercone: May we come to side bar a minute, your Honor?

The Court: Yes. Swear the witness.

(At side bar)

Mr. Cercone: If I recall, when the Commonwealth was putting in its case, some of our witnesses were asked to leave the room at the time another was testifying. I think it should be done with the defense.

The Court: We didn't ask anybody but [illegible] one.

Mr. Nelson: On the re-cross one was asked to leave while another was on the stand. Crouch was here all along and also Cvetic.

[fol. 1828] The Court: Motion refused.

(End side bar)

Mr. Nelson:

Q. Where do you reside, sir?

A. Brooklyn.

The Court: What is your name first?

A. My name is Herbert Aptheker.

Mr. Cercone: How do you spell that?

A. A-P-T-H-E-K-E-R

Mr. Nelson:

Q. Are you married?

A. Yes, sir.

Q. Do you have any children?

A. I have one little girl.

Q. Are you a doctor of philosophy?

A. Yes, sir.

Q. From what universities did you obtain your degree?

A. Columbia University in the City of New York.

Q. When did you obtain your degree?

A. In 1943.

Q. What was your thesis in which you majored?

[fol. 1829] A. I majored in American History.

Q. I understand you also have a degree of Bachelor of Science. Is that right?

A. Yes, sir, it is right.

Q. From what university did you obtain that?

A. Columbia University also.

Q. When was that?

A. 1936.

Q. You also have a degree of Master of Arts, haven't you?

A. Yes, sir.

Q. And from what university did you obtain that?

A. Also Columbia University.

Q. And when?

A. 1937.

Q. Have you written any articles or reviews that were printed in various periodicals?

A. Yes, sir, I have.

Q. What periodicals do they appear in, can you mention them please?

A. There have been quite a few and some I may omit in terms of my memory, but I will do the best I can. I have had articles on reviews published in the American Historical Review, which is published by the Historical Association and also the Pennsylvania Magazine of History. The Political Science Quarterly, which is published by the Faculty of Columbia University. The Journal of Negro History which is published by the Association for the

Study of Negro Life and the Journal by the Negro published by Howard University, the Thylon Quarterly published by the Atlanta University in Georgia; New Masses; Main Stream; Masses & Main Stream; all of which were and some of which were Left Wing, oriented and cultured. They were in the field of culture, better magazines; Opportunity, a monthly magazine published by the National Urban League, and the Negro Digest, a well known magazine. I dare *so* there are others and at the moment I cannot think of them.

Q. What books or pamphlets have you written, if any?

A. Again several. In order, I think they run this way. The Negro in the Civil War.

Q. Just a moment. Is this the one you were talking about, Negro in the Civil War, Doctor?

A. Yes, sir, that is it.

Q. And that is obtainable in the Carnegie Library, is it not?

A. Yes, sir.

Q. When did you publish that, your first pamphlet?

A. In 1938.

Q. What were the others that were printed or published?

A. In 1939 there was a booklet which was called "Negro Slave Revolution of the United States", 1526 to 1860.

Mr. Cercone: What is the date of the title?

A. 1526-1860. The date of publication was 1939.

Q. 1939?

A. Right.

[fol. 1831] Q. Just a moment. Negro Slave Revolution, did you say, in the United States?

A. Yes, sir.

Q. Is that this pamphlet?

A. Yes, sir.

Q. When did you publish that?

A. In 1939.

Q. What are the others you mentioned?

A. In 1940 the Negro in the American Revolution.

Q. That is this pamphlet here, is it, that I showed you?

A. Yes, sir.

Q. And this too is circulated by the Carnegie Library. Is that right?

A. Yes, sir.

Q. What is the one you published after that?

A. In 1941, the Negro in the Abolitionist Movement.

Q. And that is this pamphlet here?

A. Yes, sir.

Q. That dealt with what, with the Abolitionist Movement?

A. It dealt with the character of the Abolitionist Movement and most particularly the role of the Negro people in that movement.

Q. That too, if you notice is available in the Public Library in the Pittsburgh Carnegie Library, is that right?

A. Yes, sir.

Q. What are the other books you published?

A. I am afraid I skipped one—no—no—I did not. In [fol. 1832] 1943 there was a book published called "The American Negro Slave Revolution" which was published by Columbia University Press.

The Court: Is that a different book than the Negro Slave Revolution in the United States?

A. The Slave Revolution is a pamphlet of 72 pages and this book has 400 pages.

Mr. Nelson:

Q. You are talking about the book published?

A. Yes.

Q. When was that published?

A. 1943 and it has been reprinted.

Q. How was this book brought out, had you published it yourself?

A. No, I didn't publish any of them myself. It is the Columbia University Press.

Q. Did it have anything to do with the University, the fact they put it out?

Mr. Cercone: I object to that, the fact they put it out.

The Court: Overrule the objection. Answer the question.

A. Well, it was a dissertation which was accepted by the [fol. 1833] faculty after a fairly strenuous moral exhibit and they decided to publish it.

Mr. Nelson:

Q. That is the book running up to 400 pages—would you state it briefly?

A. It deals with the matter of enslavement of the Negro people, that is a system of slavery. It deals with machinery of control by the slaves, the enslavement of the Negro people and it deals with the response of the Negro people to the enslavement until the rebellion.

Q. What other books are published, Dr. Aptheker, or pamphlets, can you recall?

A. In 1946 there was a book called The Negro People in America, the title of which is a critique of Myrdal's American Dilemma, and that was in 1946.

Q. And that was a critique of the history by some other historian, was it?

A. Not especially history, although it is history. Myrdal's is a two volume, which is largely social rather than history but there is historical background in it.

Q. What are the others you published, Doctor, or you wrote?

A. 1947 I believe, I am not absolutely certain, around 1947, the Association for the Study of Negro Life and History was published, some of my works which is called Negro Casualties in the Civil War. I don't recognize it there.

Q. I don't see it here but that is right.

Q. Is that a book or pamphlet?

[fol. 1834] A. A pamphlet of 60 pages I would say.

Q. What are the others you published or you wrote?

A. I skipped one. In 1945 a book called Essays and The History of the American Negro.

Q. Is that this book I show you?

A. Yes, sir, that was in 1945.

Q. What does that deal with—just a couple of sentences?

A. It deals with some main exposures of the History of the Negro People through the Civil War.

Q. And what are the others, the other books you have published, Doctor?

A. In 1948 a book which was called To Be Free.

Q. That is this one I show you?

A. Yes, sir.

Q. What does that deal with?

A. That deals with still other exposures of the History of the Negro People and goes further than the Civil War. That goes through till 1876.

Q. Would you mention others you have written, Doctor?

A. In 1949 I published a little small pamphlet which is called the Schlessinger Fraud. It is a critic or a book by Professor Arthur M. Schlessinger, Jr., of Harvard.

Q. That is this little pamphlet?

A. Yes, sir.

Q. What does this criticism deal with?

A. It deals with Mr. Schlessinger's book and is called the Vital Center, and it attempts to give a Marxist analysis, [fol. 1835] critique of this work by Mr. Schlesinger.

Q. Any others that you could briefly tell the jury that you have written here, any other books?

A. In 1950.

The Court:

Q. Pardon me, Doctor, just a moment. You say your pamphlet, the Schlessinger Fraud criticized the Vital Center—is that an attempt to analyze Marxist theory, or was your book so intended?

A. It was an attempt.

Q. Vital Center?

A. No. The pamphlet was not my pamphlet, it was frankly presented from the Marxist point of view and I tried to use that point of view to criticize Mr. Schlessinger.

Mr. Nelson:

Q. Did you write a pamphlet Negro People in America?

A. Yes, sir. I believe I mentioned that.

Q. I want to call your attention to it. Are they available in the public library in Pittsburgh?

A. Yes, sir.

Q. And I think we did not speak of the one you wrote also, did you not, called To Be Free.

A. I think we did mention that, yes, sir.

Q. To Be Free?

[fol. 1836] A. Yes, sir. I believe there are three other items.

Q. All right. Will you mention the ones we didn't go into?

A. In 1950 or 1949, I am not absolutely certain, a little pamphlet was written by me which was called "Why Defend the Rights of Communism".

Q. You don't have that here, do you?

A. I don't see it there, no, sir. And in 1951 a pamphlet you have in your hand was written called "American, Races and Laws".

Q. What does that deal with, Doctor?

Q. It deals with the facts that there are laws, both Federal, State and City in various parts of the country which are based upon a Marxist concept. That is a concept of the inferiority of one people as compared to another. Most particularly in this country the Races' laws discriminate against the Negro people although there are laws in some areas which discriminate against other people. This pamphlet more or less distorts Negroes and Democracies and there are such kinds of legislation, Federal, State and City.

Q. And am I right or am I wrong about the fact that one of your latest books is a book called The Documentary History of the Negro People in the United States, a work 950 pages long and this is one of your most recent books. Isn't that right, Doctor?

A. Yes, sir. That is the last and was published in 1951, I think.

Q. And by whom?

A. It was in November, 1951 and was by the Citadel Press in New York.

[fol. 1837] Q. What does this book deal with, Doctor Aptheker? I know it is a long thing but just the subject?

A. It attempts to pass, in a word, on the Negro people. That is why it is called Documentary, in the word of the Negro people, men and women and in some case children to have them voice their own history. The first document

stated 1661 and the last one was dated 1910, that is through the foundation of the magazine, through the national association of the advancement of the colored people.

Q. Did Dr. W. E. DuBoy write an introduction to the book?

A. Yes, sir. He wrote the preface.

Q. Does he recommend the book and what does he say?

Mr. Cercone: That is objected to and is not competent.

The Court: What he recommends isn't material to the questions of this man to specify as to something further. That is a publication, is it not? Objection sustained.

Mr. Nelson:

Q. Which one of these books is it you wrote when you got your Master's at Columbia?

A. That was never published and is a thesis at the Columbia Library.

[fol. 1838] Q. Didn't you put out a work under the sponsorship of the Guggenheim Scholarship?

A. No, sir, not a publication.

Q. That is a thesis you are testifying about. Is that right?

A. The Master thesis, yes. That was much earlier, from 1936 to 1937 that I wrote that.

Q. Were you asked by the United States Army to write a book which they published at anytime?

A. I was asked to participate in the writing of such a book and I did.

Q. When was that published?

A. In 1946, in either '45 or '46. I think 1946.

Q. What was the title of that book?

A. It was the History of the Army Ground Forces of the United States.

Q. Is that a major work or a small pamphlet?

A. It was about 150 pages, I believe.

Q. And you were one of the writers—you worked with others to get that book out, is that right?

A. I think it is fair to say that I was the major author and I worked under two colonels, a Colonel Mathews, in charge of this, and a Lieutenant Colonel Ley, who was his assistant.

Q. What does that book deal with, just briefly?

A. Well, it deals with the history of the organization of the Army Ground Forces, its character and its conduct in this country. It does not deal with the activity of the Army [fol. 1839] Ground Forces outside of the Continental limits of the United States.

Q. Did you write an article called Literacy and the Negro in World War 2? Did you write that for the Army?

A. Not for the Army.

Q. Did the Army publish that or ask you to republish that?

A. Yes.

Q. Where was it republished?

A. It was called Literacy, the Negro in World War Two and it appeared first in the Negro Journal which was published, I think, by Howard University and shortly after it appeared, I think, in the Fall or it happened in the Fall of 1940 I received a letter from the Adjutant General of the United States Army asking my permission for the Army to reprint the literature and said he wanted to distribute it to the officers of the Army and I gave permission and it has been reprinted.

Q. Doctor, you have seen a number of books that were brought out; has any of your work been published of any major articles referred to, major articles or magazines studied by social scientists? Have they been published and used as reviews?

A. Yes, sir, I think a good deal.

Q. Can you mention just a few—where, who the lecturer or writer was?

Mr. Cercone: That is objected to as being far afield.

[fol. 1840] The Court: It is far afield whether someone referred to them as for approval or disapproval. It doesn't relate to the questions put to the witness at this time and the objection is sustained.

Mr. Nelson:

Q. You were in the Army during the last War?

A. Yes, sir.

Q. Were you honorably discharged?

A. Yes, sir.

Q. What was your rank in the Army, if any—what position did you hold in the Army?

A. I was promoted several times and I began as a private and separated from the Service as a Major.

Q. A Major?

A. Yes, sir.

Q. What branch of Service were you in, were you a Major in?

A. The Feld Artillery.

Q. Did you see combat service?

A. Yes, sir.

Q. Where?

A. Germany, France, Belgium and Holland.

Q. In 1940 were you awarded an annual prize of the association for the Study of Negro Life or History—I don't know if you mentioned that?

[fol. 1842] Mr. Nelson:

Q. Will you please explain, Dr. Aptheker, the question asked of you?

Mr. Cercone: That is objected to.

The Court: The time to make an objection is when the question is put to him on certain matters. We will let the question be extended to ask any subsequent question.

Mr. Nelson: I want to show he is a historian and is able to discuss the subject.

The Court: You will be permitted to do so before he is asked to answer questions on the subject.

Mr. Nelson:

Q. Would you please explain now what is the Guggenheim Fellowship?

A. It is an award made annually by the John Simon Guggenheim Memorial Foundation to a fairly limited number of recognized scholars in the United States.

Q. Does it cover any range of subjects?

A. No, sir. It is not limited to any area.

Q. In the course of your writings have you also made and delivered lectures on these topics before various people, universities, libraries and so forth?

A. Yes. I have lectured very extensively on a whole range of subjects before many universities and public rooms [fol. 1843] throughout the country for many years.

Q. Would you name such a few?

A. Well, before the entire student body sometimes or before a recognized campus group in Columbia, in Yale and in Harvard and in Boston College and in Wayne University; the University of North Carolina, in North Carolina College for Negroes and the Allen University and the Benedict College and the University of Minnesota, the University of Wisconsin, San Francisco College, the City College of New York, Brooklyn College and New York University. I don't know how many I have named but there are probably more.

Q. What was the range of subjects talked or discussed at these universities and other bodies you have mentioned here? Just a few so we can get an idea of the subject range you covered?

A. I would discuss such subjects and topics as the History of the Negro People, the History of the Labor Movement in the United States; the Political History of Our Country. I would discuss Marxism, the theory of Marxism as applied, for example, to the State—what is the Leninist-Marxist idea about the State as applied to a revolution. I have discussed and debated with, for example, Professor Schlessinger of Harvard, detailed on the Queens. Such questions as the position of Marxism-Leninism of thinking on conditions of today. I have talked to attorneys and before these groups of [fol. 1844] all sorts, Nazi situation of Germany and so on.

Q. So besides writing books and lecturing do you also edit magazines or books or publish magazines?

A. I am an associate editor of Masses and Main Stream.

[fol. 1845] Q. What is the Masses and Main Stream?

A. It is a monthly magazine largely political and cultural. It can perhaps be best explained by explaining the name, it is a rather peculiar name, Masses and Main Stream. Masses is the fact this magazine is a continuation of a magazine which was called Masses and was founded in 1911 by people like John Reid and Mr. Young and others. And Main Stream was a name of a quarterly magazine of the Marxist orientation which was published in 1947. Masses and Main

Stream under the present rather difficult conditions for magazines of the type of orientation referred to a combination of these two, one formerly a monthly and weekly and one a quarterly. And we now put out and I help edit this monthly magazine.

Q. Doctor, were you a member of the Communist Party during the period prior to and covering the period under this indictment, August 31st, 1951?

A. Yes, sir.

Q. 1950 I mean, I should say?

A. Yes.

Q. When did you join the Communist Party?

A. 1939.

Q. In 1939?

A. Yes.

Q. Do you lecture or teach before any bodies or groups on the Marxist ideas, Marxist concepts and things besides [fol. 1846] these universities you spoke about and librarys and debates in these colleges. Do you also teach before any groups that are organized by Communists or members of the Communist Party?

A. Yes.

Q. What range of subjects do you teach in those classes?

A. Very much like I indicated before. The full range of Marxism Leninism, of all the classics of Marxism Leninism and also many particularly of what I hope is a Marxist Leninist interpretation of American History.

Q. You said you joined the Communist Party in 1939?

A. Yes.

Q. Why did you join the Communist Party?

Mr. Cercone: This is objected to, your Honor, as to why. The Court: Reasons are necessary.

Mr. Nelson:

Q. So you did nothing in the way of crime to be a member? I want the jury to know why you joined it.

Mr. Cercone: This is objected to.

The Court: Objection sustained. His reasons for joining it is not involved.

Mr. Nelson: I don't want the prosecutor to say this man isn't qualified to ask the question.

[fol. 1847] The Court: That is what we are determining now, and the thought of why he joined it doesn't have anything to do with it now.

Mr. Nelson:

Q. Have you lectured before Communist Parties of the Communist Party? I presume you have in New York City on these subjects you are familiar with?

A. Yes.

Q. I believe you answered that question?

A. Yes.

Q. Well, did you lecture at these meetings of the Communist Party or to these groups and bodies on problems that are raised in the Communist book, Manifesto, called Marxist Capitalist Foundation of the Revolution; History of the Communist Party of the Soviet Union, Twilight of World Capitalism by William Z. Foster, the Proletariat Revolution. Did you use the material and did you read those books? Did you lecture on what is covered in these books?

A. Yes. I did that and have done that for ten years and do it regularly now.

Q. Have you made a study of these books—are you familiar with them, Doctor?

A. Yes, I have studied them.

Q. You have studied them?

A. Yes.

[fol. 1848] Q. I presume you studied the work of Karl Marx and Frederick Engals extensively. Is that right?

A. Yes, sir.

Q. How many books by Marxist and Engals would you say you have read and studied? Would you care to cite the titles of the scores of them?

A. By Marx and Engals?

Q. Yes.

A. Marx, Engals Manifesto of the Communist league; the classes of Marx and Engals, called Marx' Capitalism in three volumes.

Q. How many pages do they run into about?

A. I would say about 2500.

Q. And what are some of the others?

A. The Civil War in the United States, some by Marx and some by Engals and the Civil War in France by Marx and then the 1800 of Louie Napolean by Marx; the Party of Philosophies by Marx; the condition of the working class in England by Engals.

Q. That is an old book is it not?

A. 1845.

Q. 1845?

A. Yes. A book by Engals which is properly called Anti Daring.

Q. That is a book dealing with a philosopher, isn't it?

A. Yes, was published by Engals.

Q. Have you studied the writings of Lenin whose books are on trial here like the State Revolution and others?

A. Yes, I have.

[fol. 1849] Q. Could you mention a few of them?

The Court: The books are in evidence rather than on trial.

Mr. Nelson: My contention is this, your Honor.

The Court: He is on trial, not the book. The books are in evidence.

Mr. Nelson: If I didn't read the books I wouldn't have been on trial.

Mr. Nelson:

Q. Then have you read any books by Lenin?

A. Yes, I have.

Q. How many books would you say you read that were written by Lenin?

A. How many?

Q. Well, how many, well roughly. I don't say the number which, a response by title?

A. State and Revolution; Imperialism; Materialism and Imperio-Orientalism, which is the work and philosophy by Lenin, since he laid the work at the time, his collected works. I have made a conscientious effort as a matter of fact to read everything I could find written by Lenin.

Q. And that is about would you say, how many volumes are available to you written by Lenin, 21 or 22?

A. Probably more. I would say about 30.

[fol. 1850] Q. Have you studied the life of Joseph Stalin, the Premier of the Soviet Union?

A. Yes, I have.

Q. Which ones, will you mention a few?

A. The Volume Marxism and the National Question, his work on Linguist.

Q. That is dealing with what, Doctor?

A. With the matter of language and its rule and society. I have made, to the best of my ability, a complete effort to read whatever of his was available to me and to study it.

Q. Have you made a study of the lives of these men?

A. Yes, I have studied their lives.

Q. Marx, Engals, Lenin and Stalin?

A. Yes, sir.

Q. You are familiar with their biographies and what they have done in their lifetime?

A. Yes.

Q. Have you made a study of the history of the period of time in which Marx, Engals, Lenin and Stalin had lived and in which particular place they operated and worked and their time?

A. Yes, I have.

Q. Does that cover a wide range of places and activities?

A. Oh, yes. It covers all Europe. In the case of Marx and Engals and the relationship with the United States and also the case of Lenin and it covers a period of a century, a little more than a century.

[fol. 1851] Q. You stated here that you made a study of Marxist studies or activities in connection with the United States?

A. Yes.

Q. What did you have in mind when you stated that—what did he do in relation to the United States that you have in mind?

A. Well, several things.

Q. Will you mention just a few?

A. Yes. Marx was very free with several of the refugees from the unsuccessful 1848 Revolution in Germany. He knew personally people like Weydemeyer and he corresponded.

Q. Who is Weydemeyer by the way?

A. He was an editor and a surveyor. As a matter of fact he surveyed Central Park back in my New York and he edited magazines and newspapers and worked at his craft as a surveyor and as a leading pioneer of Marxist of this country back in the 1850's. He was also an active abolitionist and, for example, he participated in the Civil War and rose to a very high rank in the Army. The point I was making, Marx was in contact with such people and they corresponded and they wrote one another, they wrote one to the other and frequently discussed questions of politics and economics in relationship to the United States. In fact, the first purpose of the Marxist books, the 18th premier, appeared in a New York magazine edited by We-de meyer, as a matter of fact.

Q. You stated that Karl Marx was active on certain old problems on issues affecting the United States—do you [fol. 1852] recall whether or not he had any opinion or were they known generally in relation to the Civil War?

A. Marx was very active in the Civil War.

Q. You mean in support of the Civil War?

A. Yes.

Q. Is that what you mean?

A. Yes. I was going to say as a matter of fact Marx was the main one in Europe before the Civil War and after. He was the main correspondent for the New York Tribune at the time before the Civil War and after, because the New York Tribune at the time was widely known.

Mr. Cercone: This is away far afield. We are interested in how the books are used in Pittsburgh.

Mr. Nelson: You are in a hurry and you are getting it, too. Just keep your shirt on.

The Court: He is explaining what they are.

Mr. Nelson: You are getting it thrown into your teeth.

Mr. Cercone: Don't talk to me. Talk to the Judge. Do [fol. 1853] you want to continue ahead in an orderly fashion or recess? Proceed. However, if the District Attorney is satisfied with the questions of the witness you need not prolong it.

Mr. Nelson: I want to be sure the jury knows that a man, that he is intelligently and has knowledge about, discussing

these questions and matters charlatan like you pick up off of the gutter.

The Court: We will consider his answer.

Mr. Nelson: Marxism is on trial and I want to know this man knows what it is.

Mr. Cercone: This man isn't on trial.

The Court: As far as an elaboration on Marxism, it needs no elaboration.

Mr. Nelson:

Q. All right, Doctor, have you written anything dealing with Karl Marx; have you written any articles or pamphlets or treatises dealing with Marx on these Marx subjects?

A. Yes, I have.

[fol. 1854] Q. Will you mention a few, please?

A. Well, first of all, everything that I have written, I have written—my greatest debt in terms of my writing is to Marx. That is, he has influenced my thinking more than any other single writer. And in my various books and pamphlets I have acknowledged this and have written and spoken in terms of this fact. I have also published articles which deal with specific questions in terms of Marxism Leninism, for example, in the magazine I mentioned, Main Stream. I published an article about five years ago which was entitled a History and Reality—and in that rather long article I tried to explain the meaning of what we call Historic Materialism, that is the Marxist interpretation of history and the whole contents of the article was an explanation of the Marxist viewpoint as applied to history. This is typical of things I have written.

Q. Would you say that the books you wrote on other subjects like dealing with the Negro question, the Negro history and so forth, do they, too, contain the Marxist approach to history as a result of your study of Marxism?

A. Yes, to the best of my ability they do.

Q. And you have always submitted that and proclaimed that that was your specific virtue in putting out these books, isn't that right, Doctor?

A. Yes, I have always indicated this viewpoint.

[fol. 1855] The Court:

Q. In other words, you indicated the Marxist viewpoint in all of your writings or in most?

A. In practically all of them, yes, sir.

Mr. Nelson:

Q. So that it can be stated then as a scholar and a student of philosophy and historian that you have, over a period of years, you have been studying these matters and you have been acquainted with Marxism and you have used it in your work, your scientific work. Is that right?

A. Yes, sir.

Q. Likewise you do the same thing at these lectures and that you deliver before the Communist Party when you speak there, is that right?

A. Yes, sir.

Q. And you do the same thing when you speak at the University—you don't deny being a Marxist when you are in a University Body?

A. No.

Q. You represent the Marxist views in these debates, is that right?

A. Yes.

Q. When you debated Professor Schlesinger let it known you were a Marxist or not known?

A. It was known.

Q. That was not long ago—how long ago was it, Doctor?

[fol. 1856] A. I think 1948. It may have been 1949.

Q. Do you read the Marxist periodicals that are in the box over there?

A. Political Affairs.

Q. Masses and Main Stream?

A. Yes. I edit Masses and Main Stream.

Q. Did you ever contribute articles to Political Affairs?

A. Yes, I have.

Q. Then by reason of your membership in the Communist Party, Doctor, during the period of this trial and your study of the history of the Marxist writings and lecturing and so forth, you would state, wouldn't you, that you are qualified, that you are a Marxist and that you are

qualified to present Marxist views on most questions. Isn't that right?

A. Yes. If I am not that I am nothing at all.

Q. If you are not that you are nothing at all?

A. No, sir. That is my whole life.

Q. Now are these principles that are contained in these books that are brought here as evidence by the prosecution, are these principles testified by the Communist Party of the United States and by you and these classes where you lectured and taught?

A. To the best of my ability, yes, sir.

Q. And the American Communist Party reads these books and its leaders conclude how they are going to prepare various questions as they apply to the United States. Is that right?

[fol. 1857] A. Yes, sir.

Q. And you do the same thing, is that right?

A. Certainly.

Q. So that the principles of Marxism-Leninism are taught by the Communist Party of the United States?

A. Yes, sir.

Q. Now then, in the time that you have been a member of the Communist Party since 1939, following the time you were away in Service, do you know of your own knowledge of any Communist who advocated force and violence?

A. Never.

Q. Well, did you hear of any member, let us say a rank and file member who just joined and not familiar with the books and have gotten the idea that is what the Communists wanted to do in reading the Hearst papers or some other papers. What would be the position of such a member to the Communist Party who advocated such force and violence?

A. He would be expelled from the Party.

Q. He would be expelled for advocating force and violence or terrorism against the people?

A. Certainly. That is in the Party's Constitution.

Q. That is in the Party's Constitution?

A. Yes.

Q. Could you briefly find a reference to that or maybe we better do that later after we get through covering this thing, your Honor?

[fol. 1858] The Court: Aren't you through now?

Mr. Nelson: In a few minutes.

Mr. Nelson:

Q. Does the Communist Party advocate force of violence as a means of advancing or making political changes in the country?

A. No, sir.

Q. Does it advocate terrorism?

A. No, sir.

Q. Do you advocate attacks, physical attacks upon government officials?

A. Not only does not, it denounces such kinds of activity.

Q. Why?

A. Because it violates the principles of Marxism-Leninism.

Q. How does it violate the principles of Marxism—of that in this instance?

A. Because the whole essence of Marxism-Leninism in terms of what we are now discussing is a major concern, is the concern for the will of the majority of the people and the giving of organized expression to that will. Marxism-Leninism is the contrary of anarchism or what Lenin once called Blanquinism.

Q. That is a person from the history of the French struggle, isn't that right, of 1871?

A. Yes, sir, Louie Blanquin, of France.

Q. What did he propose to do?

[fol. 1859] A. Blanquin advocated sort of a palace revolution, his type of concept. It is very much like the Hollywood perception of the Revolution, where you have the hero crying out to Betty Grable, kiss me and I will call off the revolution. This type of absurd individual type of activity. This was explicitedly and many times denounced and argued again. As a matter of fact this type of Marxism and Leninism is in conflict with this type of approach.

Q. So your contention as a Marxist is composed is that

the Marxist call for a rule by the majority rather than a crack push? Is that right?

A. Oh, absolutely.

Q. And then it is your view, is it not, that the Marxist view as we American Communists understand it, is that these ideas that we hold should be advanced by peaceful means. Is that right?

A. Yes.

Q. So in connection with the criticism that you say Marx wrote of Blanquin who wanted to have a palace revolution, you say the Communist rejected it by criticism of Blanquin?

A. Yes. Actually the criticism I had in mind was Engels in a letter specifically referred to the 1870's, to the fantasy of Blanquin terrorist for his capture of power.

The Court:

Q. Do I understand by that that Engals did advocate [fol. 1860] the use of revolution if Marx criticized Engels in that respect?

A. No, sir. What I said is that Engels, the interrogator, asked whether Marx had a cabinet. The specific reference I had in mind was Engels. Engels specifically mentioned Blanquin in his letters and within his studies.

Mr. Nelson:

Q. He was a friend of Marx?

A. Yes, one of the founders of Marxism.

Q. Do you, as a Communist, desire a peaceful change toward Socialism in the United States?

A. Yes.

Q. Does the Communist Party of the United States desire to do the same?

A. That is correct.

Q. To accomplish Socialism by peaceful means?

A. Certainly.

Q. Do you know whether at anytime members of the Communist Party had requested anyone to take certain measures to overthrow the Government by force in the State of Pennsylvania or the Government of the United States?

A. No, sir; it is impossible.

Q. Why is it impossible?

A. Well, first of all I repeat the Constitution of the Communist Party requires the expulsion of anyone who advocates for persons or desires or calls on or wants ter- [fol. 1861] rorism for the forcible overthrow of any government. And in the second place, the whole assumption, the whole content of Marxism-Leninism is as the Communist Manifesto says. This is a movement of the majority of the people by the majority of the people in the opening passage. It is one of the opening passages of the Communist Manifesto.

Q. Does the Communist Party of the United States at anytime, to your knowledge or your experience, did it ever incite or encourage anyone to do an overt act or to act with a view to bring the Government of the United States, the State of Pennsylvania, in disruption?

A. No.

Q. That is in disrepute?

A. No.

Q. And I state hatred, in the contents, in the language of the indictment?

A. No.

Q. What does the Communist Party in the United States or did the Communist Party of the United States at anytime incite or encourage anyone to commit an overt act on a person, the Government of the United States or the State of Pennsylvania in hatred or intent by the sale of literature, given in distribution of printed books and documents which teach force and violence?

A. No.

Q. To your knowledge is the Communist Party of Western Pennsylvania an adherent generally to the principles [fol. 1862] of the Communist Party of the United States?

A. It is.

Q. And do you know any member or members in Allegheny County here in Pittsburgh who advocated force and violence as a means of accomplishing political aims?

A. Certainly not.

Q. Do you know or does the Communist Party at anytime organize or help to organize an organization in Al-

leghany County or in Pennsylvania which is advocating sedition or seditious work, a society or group?

A. No.

Q. Does the Communist Party of the United States at anytime make and publish and distribute and cause to be made and published or have in its possession with an intent to publish and distribute any writing, publication, printing or other thing which intends as its aim and cause to be made an outbreak and demonstration of violence in the Government against the State of Pennsylvania and the United States. I am sorry if the question is cumbersome, but that is the language of the indictment and I think you know what I mean?

A. Yes. I followed the question and the answer to the question is certainly not.

Q. Did the Communist Party of the United States at anytime or does it now propose to publish and distribute and cause to be made and published and distributed and [fol. 1863] have in its possession with intent to publish and distribute lies, publications, prints, cuts and cartoons, the intent of which is to incite anyone to personal injury to an officer or officers of the State of Pennsylvania or an officer and officers of the United States?

A. Absolutely not.

Mr. Nelson: May we have a break, your Honor?

The Court: I was going to continue until a quarter of three and break until three o'clock.

Defendant: I was going into another matter and it will be convenient to break now.

The Court: I have no objection. Recess the jury until a quarter of three. (It is now 2:35 p. m.)

Mr. Nelson: Just one or two questions before we go into the main item, your Honor.

Mr. Nelson:

Q. Are you associated with any school or organization where you teach classes of Marxism, Dr. Aptheker?

A. I teach at the Jefferson School, Social Science and New York City.

Q. Do you teach there at the present time?

[fol. 1864] A. Yes.

Q. Lecture?

A. Yes

Q. And I presume you deal with the topics that you covered in your books on positions of the Communist Party and various questions, is that right?

A. Yes. I teach course called Philosophy of History.

Q. Called what?

A. Philosophy of History.

Q. Is that a Marxist course you give there?

A. Yes. I attempted to present the Marxist position on history. I also give a course there on its seminar, a course on methods of research and how to write history, and I also teach a great deal of time and have another course on the History of the American Negro People. I also taught a course based on William Z. Foster book, his outline of the book. I taught history in the North and the South.

Q. Did you collaborate with Mr. Foster in putting out this book, Political History of the Western Hemisphere?

A. I think collaborate is a little bit off there.

Q. You don't want to take that much credit, but you worked with him?

A. Yes. I read most of his volume and made suggestions and criticisms, some of which are incorporated in the book, and Mr. Foster knows that.

Q. Just one more question, Doctor: when did you start [fol. 1865] writing this book, A Documentary Evidenced History of the Negro People?

A. Well, that has been mostly my life work. I thought of it in 1936 and I had been working on it, time permitting, 15 years.

Q. At that time you were a Marxist when you started to prepare for this book, were you not, or were you coming close to it. Is that it?

A. I was pretty young and I won't say I was a Marxist but I was learning and studying and reading.

Q. Would you care to state briefly how much research or effort you had to put into it to turn out this book of 900 pages on this history?

Mr. Cercone: That is objected to, your Honor.

The Court: Objection sustained.

Mr. Nelson:

Q. I mean by that, you must have made a voluminous study of documents and materials that was not ready available, did you not?

A. Yes, sir. Practically all of that had long been published.

Q. Where did you get that information?

A. The State Library and Archives, some individual people and family papers all over the country.

Q. How many documents are cited there roughly?

A. I would say six or seven hundred documents are reprinted there or something like that.

[fol. 1866] Q. All right, now. So that the jurors will know exactly what I am trying to show through this witness or Professor, Dr. Aptheker. I want to call your attention to Count No. 12 in the indictment in which there are scores of quotations, in fact, there are 30 quotations from these books. And my contention is that they are distorted. Is that correct, out of their meaning?

Mr. Cercone: Your Honor?

The Court: It is stated and restated and it does not make any difference if it is stated again.

Mr. Nelson: I want to intelligently go into the question so the people know what we are talking about. They are conflicting and it is a matter for classroom and debate.

The Court: You have outlined your contention to the jury. Proceed.

Mr. Nelson:

Q. Dr. Aptheker, are you familiar with the pamphlet, Exhibit No. 15, which the Commonwealth marked the Communist Manifesto?

A. Yes, I am.

Q. That is by Karl Marx and Friedrich Engels? Just [fol. 1867] by the way of background you stated this was published in 1848. Is that right?

A. Correct.

Q. And was written by Karl Marx and Engels?

A. That is right.

Q. And under what conditions was this pamphlet written? What was the condition when the pamphlet was written?

Mr. Cerecne: That is objected to as going into another field, your Honor.

The Court: Overrule the objection and answer the question.

A. It was a period of great turmoil in Europe as indicated by the fact, for example, that 1848 saw many uprisings of the people of Europe, Ireland, Germany and France against intolerable tyranny and oppression and against the consistent sociable repressions or oppressions of the will of the people of Europe. There was certain basic democratic rights such as an example, for the right to vote and the right to be elected and so on. There was a period of great unrest and turmoil for democratic striving on the part of the European people.

Q. You mean by democratic striving within, by that they voted against monopolies which there was and they had no right to vote?

A. That is correct. They fought against outright tyr [fol. 1868] anny, tryanny of absolute monarchy. Ireland was one against the aid.

Q. You mean aid in Ireland by a foreign foe?

A. By Great Britain.

Q. Just one more question, a word regarding the Manifesto—such phases of this thing as a historical document: how many editions do you recall or venture a guess on. How many editions has this pamphelt gone, to your knowledge?

A. I could only guess, thousands and thousands in every language spoken by humanity ever since it was printed.

Q. All right then, in the indictment the first quotation from the Manifesto I call your attention to, Doctor; and I don't know whether you want to consult your papers or not and you may have to because these are precise quotations, the following is a quote from the Manifesto?

A. Would you wait just a second so I can follow you?

Q. Yes, sir.

A. This is from the indictment.

Q. Yes, that is on page 7 and it is the very first quotation appearing right over here and we will take them seriotomy so it is easier to follow and we will cover each one of them in such a way I could make it easier to follow. Have you got yours?

A. Yes.

Q. The quotation is from the Manifesto and comes from page 20 of the Manifesto since we have it written out and if Mr. Cercone wants to he can follow the document. For [fol. 1869] my purpose it is easier to do it this way. I will have it quoted and he can follow. On page 20 the first quotation is: "In depicting the most general phases of the development of the Proletariat, we take the more or less veiled Civil War, raging within existing society, up to the point where that war broke out into open revolution, and where the violent overthrow of the Bourgeoise lays the foundation for the sway of the Proletariat."

Now that is on page 20, Doctor, and what is your explanation or what is your interpretation as an expert on Marxism of that statement?

Mr. Cercone: That is objected to, your Honor, as being irrelevant, immaterial and incompetent. It is what the members of the Communist Party interpret. Put that in the question.

The Court: We may have the witness' interpretation as given by the witnesses by the Commonwealth and then if you wish you may ask him if that is a Communist interpretation of it. Give us your interpretation, Dr. Aptheker.

Mr. Nelson:

Q. Will you give us your brief interpretation of how you understand and how the Communists understand that position or statement?

A. The first point to be noticed is what has been indicated.

[fol. 1870] This is a symptom which is taken out of a pamphlet written in 1848 under the general social and historical conditions at that time which I tried very briefly to indicate to you. The next point in the paragraph is that

Marx and Engels in 1848 appointing to the existence in society of classes, of different classes of people. I reply to the best that I can as I sit here to make all of these references as clear as I can do.

Now this idea of the existence of class struggle of conflict within society set in the paragraph is called the more or less veiled Civil War, is by no means new to Marx and Engels and is by no means confined to them. For example, the Manifesto begins by saying—I am quoting: "The history of all hitherto existing society is the history of class struggle." This is one of the points made in this paragraph we are talking about.

Now the first thing or the first point I would like to make clear is that this idea of the existence of conflict in classes in society is as old as political science. It goes back to Aristotle and comes up from Aristotle to Charles A. Beard. I would like to [illegible] for you from the statements of some of our greatest American statesmen, this idea of the existence of class struggle in society which is one of the ideas in this excerpt in the indictment.

Mr. Cercone: Your Honor, I object to that because we [fol. 1871] are going far afield on one excerpt here.

The Court: I don't think the witness is privileged to bring in other statements of other writers on the subject. I think the points of class struggle has been recognized and it has been generally accepted and has been recognized. I don't think it needs further elaboration, Doctor.

A. I think it might.

Mr. Nelson: I think the prosecution is trying to present and have it understood that I have incited class struggle, and it is the very chore of the question.

Mr. Cercone: It goes beyond the scope of the question.

The Court: Do you gentlemen want me to rule on it or argue yourselves?

Mr. Nelson: I would appreciate it if the prosecution would be tolerant and not interfere with the explanation the witness is attempting to make for the jury.

[fol. 1872] The Court: You want the witness' opinion of what it means. He has outlined it but I don't think he has a right to bring in statements made by others, what they have said on class struggle and so forth. We are going to

limit him in that respect. It is recognized that class struggle has been recognized for a century.

Mr. Nelson:

Q. Proceed without that type of interruption.

A. Might I indicate to the jury at least the names?

The Court: No. That is the thing that seems objectionable; who is referred to.

Mr. Nelson: The contention is nobody but Marx knew about it and we want to show a lot of people knew. You are blocking me off.

Mr. Cercone: The reason I object to that is because you have to get into an argument or not.

The Court: That is sustained. Don't bring in the remarks of anyone concerning that, Doctor.

A. I will therefore say under this ruling that in political science it is universally recognized and almost unanimously held from the Ancient Greek Aristotle to the late Charles A. [fol. 1873] Beard that in society based on property ownership there has been and there is a conflicting diametrically opposed interest between classes in that society, the classes determined on the basis of those who own and those who do not own the means of production.

This is a great point that I now assert and I would like to be able to describe it. The second point which is made in this paragraph is: "The idea of the fact of revolution." The fact that there had been revolution. Here I want only to begin to say that this has in mind the historical process of revolution. It has absolutely nothing in common with the idea as I tried to express it before of a monetary group, of a handful, who may be up on horseback or God knows what and this is the revolution which has been referred to, a historical process, a development of conflict and contradiction in the social order—this other meaning of the term revolution here.

Moreover I take it that certainly no American will deny the reality of revolutionary processes because our Country was born, as I hope it is not illegal to point out through revolution. This is our manner of birth and thus not uncommon. Many nations, perhaps most have been born this

way. In this specific sentence Marx and Engels are referring to the developing revolutionary prominence in Europe in 1948 which in a few weeks or month after this was written it matured in Germany and France. He is referring, they [fol. 1874] are referring to the intolerable tyranny, the merciless blood and iron which the population of Europe headed by Metternick, then put the blood and wine policy with which he and crowned heads of Europe expelled the people and withheld from them all elementary rights and in any efforts they made to meet together to prove their conditions killed them.

Mr. Cercone: This witness has gone far afield in making statements he can't substantiate. He can answer yes or no. He is going into long dissertations and what we are interested in is what happened in Pittsburgh in 1948.

The Court: This is a historical background of the book and I will limit you somewhat and will permit you to explain to a certain point the environment in which the book was written, if that is necessary for your interpretation pointing to its intended use at this time for the people who by its possession and circulates these books.

Mr. Cercone: This witness is not an expert of what happened in that particular period.

The Court: He stated from his studies and we are permitting him to give his opinion when the Manifesto first started. Continue, Doctor.

[fol. 1875] A. I have a sentence to explain and I am trying to do that. I was saying that when Marx and Engals stated in this sentence that this field Civil War, this class conflict which we have seen of political facts. It exists and they got into the open revolution. They are referring to taking up arms by the opporessed on the actions to the violence, the force and violence of the reactionaries of the risk, of the moulders. So in this case and what I am saying is true about Metternick and the crowned heads of Europe. This is the meaning of that sentence.

Q. So it had a reference to a specific situation, is that right, Doctor, existing at that time?

A. Yes.

Q. And the pamphlet had been written by, and, but it was

applied to different countries in different ways by people who believed and accepted the pamphlet. Is that right?

A. Certainly.

Q. Is that what you taught in the Communist Party classes where you have stated here previously before this jury?

A. Yes.

Q. And in that sense you would say that is the position of the Communist Party in both the class struggle and the manner of revolution being discussed in this class age?

A. Certainly.

[fol. 1876] The Court:

Q. Do I understand that you teach and it is your interpretation that it has application only in 1848, at that time, that there was no intention of it advocating it at anytime in the future?

A. I readily answer it as you put it to me. I am only trying to explain the historical questions in which it was written or the condition, I am also trying to point and make what it says about revolution in the paragraph, that meaning which existed in 1848 is the meaning which exists now and the meaning in this paragraph and the meaning to Marxist and Leninism is that the force and violence comes from the reactionaries who have power and they use that power and the police and the armies to put down the strivings of the mass and people and as they use the power to put down the striving families the people reach the point of self defense against force and violence and if successful it goes by the name of revolution. As to any failure, as in 1848, the revolutionary attempts had failed and the reform is to kill, imprison or to free as they did here.

Q. Then the force used by the oppressed is in self defense, is that it?

A. Yes, sir.

Q. Does that have any present application in the World generally today or in the United States today in the teaching of Marxist or the Communist Party?

I think that is the issue and probably I don't express it [fol. 1877] the way you like but it is the issue involved?

A. Yes, it is and in explaining the paragraph I referred historically to the revolutionary process, that it has culminated and has come about through the efforts on the part of the rulers who deny that which is desired by the vast majority of the people, that which is desired by them peacefully in perfect good will in terms of the interest of themselves, that is the interest of humanity. Now I believe deeply that history deals in the past and in this case that when the masses or people put forth these visitors of the future, that is, themselves, that are precious to them, the rulers, the minority in the past have not advocated that and have not given up. They have said, "We do not care what the majority wants. We wish to preserve our power. We have taken up arms, the reactionaries, to explore the masses.

And we go on, if I am permitted to go on, I will try to the best of my ability to make that clear in specific terms of American example. This is the Lenin-Marxist concept of the fruition of the revolutionary process.

Mr. Nelson:

Q. Since there are so many we can't stop too long, Doctor. We are going to the next excerpt which appears in the same indictment that is to be found in the very next quote from the Communist Manifesto appearing on page 22 and it reads as follows: "The immediate aim of the Communist is the [fol. 1878] same as that of all the other Proletarian parties: Formation of the Proletarian into a class, overthrow of Bourgoise supremacy, conquest of political power by the Proletariat."

Now what is your interpretation of that, Doctor, as to that. How do you explain that point. It is an argument from the Manifesto on page 22.

A. Once again this is a sentence from this 1948 or 1848 pamphlet. What does the sentence say? It says that the Communist Party is the party of the Proletariat, that is the party of the working class. It says that its aim, the aim of the Communist Party is *go* gain power for the class which it represents, for the working class. What is a political party—what does the dictionary say about a political party?

A. The dictionary says a political party is any one of two bodies of people contending a power, that is opposed on rival opinions on politics in a community or society and the dictionary goes on to say especially one of the opposing political organizations striving for a supremacy in a State." That is the end of the quote.

Q. You are quoting the dictionary?

A. Yes, Funk & Wagnall's dictionary. Now this is the essence of this sentence. I repeat that the Communist Party is a political party, that it is a political party of the working class as opposed to political parties representing the owners of products or productions, that is the Bourgeoise.

[fol.1879] Q. When you say the Bourgeoise, Doctor, what do you mean by that?

A. I tried to define it very briefly by saying the owner of the means of production, those who own the factories, mines, and banks. This is what I mean by Bourgeoise.

Q. Witness now on the stand states here Bourgeoise means the American way of life. What is your comment on that?

A. That is ridiculous. It is just absurd. Where does the word Bourgeoise come from?

Q. Where does the word Bourgeoise come from?

A. It is a French word allied to the English word burd, sitting and which means an overthrow in the rule areas. They wanted to develop products in the 12th and 13th centuries and it refers to the class of products. This is what Bourgeoise means.

Q. Is that all you wish to say in elaborating on that?

A. I think so.

Q. In the same exhibit, No. 15 of the Commonwealth, the Communist Manifesto on page 23, the following line and a half is a quote: "In this sense, the theory of the Communists may be summed up in a single sentence: Abolition of private property." What is your explanation of that? What is the meaning as the Communists understand it?

A. I call your attention to the fact that this single sentence begins with the word. Those three words are in this sense: why does it begin with the words in this sense

There must be something proceeding that sentence which [fol. 1880] makes clear of that sentence, what that sentence means when it begins in this sense. What is it that precedes that sentence which you must have, if you are to begin at, what that sentence means. Otherwise when would begin a sentence in this sense. Therefore, we turn to the page which immediately comes before this one quoted in the indictment—what does that paragraph say? We turn to that because it will explain.

Q. On the same page?

A. Yes, it is on the same page and I do not memorize it and I have it here. I will read it to you and be followed and will read you the paragraph which comes before this sentence. You understand why I read it because I will explain it in this sense. Here is the paragraph which I mean: From the Manifesto: "The distinguishing feature of Communism is not the abolition of property generally, but the abolition of Bourgeoise property." I am reading —it goes on to say—I am reading the whole paragraph: "But modern Bourgeoise private property is the final and most complete expression of the system of producing and appropriating products that is based on class antagonism, on the exploitation of the many by the few." And what I want to call your attention to, the preceding sentence in the indictment, that is why Marx-Engels begins the sentence in the words in this sense.

Q. In what sense?

A. In the sense of the Bourgeoise property. This is [fol. 1881] exactly the point of this we want to gain between the Marxist-Leninist concept and the concept of what the property was, a handful. This is not the Marxist concept. On the contrary the Marxist fought against the concept. Mr. Engels opposed the private ownership by a handful and the means of producing, the means of industry and the bank and insisted that the private ownership of the means of production with millions working so a few thousand may enrich themselves was wrong and unfair. This is the point of that sentence in the excerpt, and put this way, his way, his aims they say are honest.

Q. So you would say, would you not, Doctor, that taking these two lines away from the main body of the thought

was a dishonest way of attempting to put a frame-up against me. Is that right?

A. Certainly. It is not an honest procedure.

Q. And is this way, is this your general position you discussed the matter of the property in the Communist Party; is this the way you teach in the classes and take the view of the Communist Party generally?

A. Absolutely, just what I said to the jury now.

Q. In other words, the Communist Party has no idea of taking everybody's home or everybody's chickens away from them but they have in mind taking what they call Bourgeoise property, homes by a handful, which I think I referred to as 60 families or a majority of them?

A. That is correct.

[fol. 1882] Q. You would have that property taken away?

A. That is right.

Q. But not their terms and so forth. Is that right?

A. Yes, sir.

The Court:

Q. Why limit that to 60 families, Doctor. Isn't it generally a known fact that a great many corporations and stock is owned by many, many peoples?

A. Yes, it is a well-known fact. The maximum participation of ownership in a corporation is four per cent of the population. In this sense 60 families is a phrase which comes from a book called "And of Sixty Families" by Frederick Lindberg and is used that way in Mr. Lindberg's analysis.

Q. You don't mean it literally?

A. No; that is correct.

Mr. Nelson:

Q. But it is correct to say that 250 corporations control the basic industries of this nation. Isn't that correct?

A. Yes, sir, that is correct.

Q. And it is that which you and I of the Communist Party propose to Nationalize. Isn't that right?

A. That's correct.

Q. And not the little store or little tailor shop and the little shoe shine parlor and so forth. Is that correct?

A. Yes, that is right.

[fol. 1883] Q. But the street car company and the electrical works and the coal mines and banks—those are the things?

A. That is right.

Q. Places where a lot of people are employed. Is that right?

A. Yes.

Q. Are you familiar—I believe you stated you are familiar, Doctor, with the Commonwealth Exhibit 16, Foundations of Leninism?

A. Yes, sir, I am familiar with it.

Q. Who was it written by, do you recall?

A. It is a collection of lectures delivered by Joseph Stalin in Russia in 1924.

Q. In 1924?

A. Yes, sir.

Q. The very next quote in the indictment is from that exhibit, your Honor, and comes from that book published in 1939 by the International Publishers and the quote comes from page 54 and I will read you that. "The dictatorship of the Proletariat cannot arise as the result of the peaceful development of Bourgeois Society and of Bourgeois Democracy; it can arise only as the result of the smashing of the Borgeoise State machine, the Bourgeoise Army, the Bourgeois Beaurocratic machine, the Bourgeois Police."

Q. What is your interpretation and what is the Communist's understanding of the United States of that phrase or of that sentence?

[fol. 1884] A. First of all once again there is an interesting omission in this excerpt in the indictment. That omission is that this sentence which was taken out of this book doesn't begin the way it is in the indictment. The sentence begins in the exhibit, that is, in the Foundations of Leninism, with the words "second conclusion". Second conclusion—now to a reasonable person reading that second conclusion, now that means there must be a third conclusion. This is the second one so what is the first conclusion. What is it upon which this sentence is based. We find that in the immediate section preceding this quotation;

that is, the quotation or indictment is taken from page 54 and we go to page 53 up to the second conclusion. We find what they are talking about. Therefore, I wish to call your attention to the preceding matter which is next to conclusion second. The first conclusion of this series of lectures in 1944 which was given on page 53, that the concept, the idea of democracy itself is a class concept. It is not a power concept in terms of not having any relationship to the system in which it exists. Let me try, please, to make that clear? The main thing in which you must have to get this part is like the common thing, that I am certain many of you have heard like the rich and poor are free to starve. The rich and the poor are free to starve, both classes free. Clearly in this study you have a class concept of freedom because you know who is without food and who is with it. So it is like the idea that the wolf's [fol. 1885] freedom is the sheeps' death. If the wolf was free to eat, the sheep is then free to be used by the wolf, but that which is freedom for the wolf is death to the sheep. It is this idea of a class matter of the term democracy which he meant. Therefore, the first conclusion—and it is called the first conclusion in the book is as follows, and I now read from the book which is in the indictment as follows: "Under Capitalism—says the book—the exploited masses do not, nor can they, really participate——

Mr. Cercone: Where are you starting from, 53?

A. 53.

Q. With the first sentence. That isn't the first sentence?

A. They gave it to me and I will find it.

Q. It is in the middle of the paragraph—you didn't begin at the beginning either?

A. I began at the beginning in my summary. Am I being cross-examined, your Honor?

The Court: No. It is merely being pointed out you aren't reading all the conclusion.

Mr. Cercone: In fact, you didn't begin at the beginning at all there.

The Court: You may cross examine on that later.

[fol. 1886] Mr. Cercone: Start from the word "briefly". That is where it begins.

The Court: We will permit either side to read what excerpts they have.

A. I have summarized up to the point where I quoted to you as follows: "Under Capitalism the exploited masses do not, nor can they, really participate in the administration of the public, if for no other reason than that, even under the most democratic regime, Government, under the conditions of capitalism, are set up by the people or by the Rothschilds and Stinnesses, the Rockefellows and Morgans.

Mr. Cercone: Wait awhile. You must be reading from a different book.

A. May I have your book?

Mr. Cercone: You got two sentences mixed up in one.

A. Leave me have the book. I will read from the book. Shall I?

Q. You say you made notes of this?

A. I typed it myself and if you say I looked at a sentence I will amend it by reading from the book.

Q. I will cross examine on that.

The Court: Yes, at the proper time. You read what [fol. 1887] there is from the book so there will be corrections about the copy.

A. All right, sir. I will read from the book. "Under Capitalism the exploited masses do not, nor can they, really participate in the administration of the country, if for no other reason than that, even under the most democratic regime, governments, under the conditions of capitalism, are not set up by the people but by the Rothchilds and Stinnesses, the Rockefellers and the Morgans. Democracy under that capitalism is capitalist democracy; the democracy of the exploiting minority, based upon the restriction of the rights of the exploited majority and directed against this majority. Only under the dictatorship of the Proletariat are real liberties—he puts in quotations real liberties—for the exploited and real participation in the administration of the country by the Proletarians and Peasants possible. Under the dictatorship of the Proletariat, democracy is proletarian democracy, democracy of the exploited majority, based upon the restrictions of the

rights of the exploiting minority and directed against this minority." The words which follow this conclusion are the second conclusion and then the words of the indictment.

Now my point was that you had to understand this before you could turn to what is in the indictment. Because if you understand this then one can begin to see that [fol. 1888] which is quoted in the indictment. It means that the rich, the few who rule the vast with the desire of the vast majority of the people to change their system of government. To do, for example, what the Constitution of the State of Pennsylvania says: "Indispensable and inalienable rights—when the majority wishes to do that, when and if they want to do that at that time which the Rockefellers and the Morgans, as the book puts it, will not willingly abdicate their cause to the desire of the majority. They are the means of the production. They own the newspapers. They own the radio stations. They own television and so on. The point is, that this power, they have it and they mean to hold it and when people in the vast majority want a change and want to establish a party to make a change and accomplish this change, they, the people will not be able to hold on to that power if they are not prepared, having made the change, as the people are not prepared to institute the revolutionary force and violence of the ruling class. That is, they must remake the State machinery because the State machinery was made by the rich, and the rich will try to hold on to it and use it to destroy the will of the majority.

Please let me give you two instances of what this means from our history, briefly.

Mr. Cereone: I am going to object to that. Let the Court rule on it first.

[fol 1889] Mr. Nelson: The people want to know what this means.

The Court: He is privileged to give an interpretation of it. I may limit you. We have qualified him by his readings and studies; and I don't think I will allow any further elaboration on the histories that are not here for examination by the District Attorney. Give them but the basis of the qualifications are not necessary.

Mr. Nelson: The jurors will understand it a lot more simply and easier and I will and everybody else will, as the American examples are given to buttress the points here.

Mr. Cercone: They are not parallel.

The Court: We will limit him to his interpretation of this.

Mr. Cercone: You got to limit it to the American conditions and I believe it would help clarify the point if anyone is interested in clarity.

The Court: Anyone can quote history and if the historical [fol. 1890] volume isn't present it is unfair to the other side and he has no basis of combating it.

Mr. Nelson: You mean if we had the books we would refer to the historical changes?

The Court: I doubt very much I would let you go into the extraneous matter. If there was any doubt it was taken all in evidence on each one. If they were available it is different. But I am not going to allow the witness to go on and support it other than the general conversations.

Mr. Nelson: The ideas are on trial. I won't press them. You stated yourself. Let us understand what the ideas are which are in.

The Court: We will not permit him to refer to volumes not in here.

A. May I ask a question?

Q.

The Court:

Q. Surely?

A. There are things which I have written, which have been mentioned here, which are on the table, in which as a Marxist-Leninist I gave such examples to make clear the [fol. 1891] meaning of the Revolutionary Process. Would I have, your Honor, the right to look at one or two of these which I wrote, which are on the table, which I wrote in the past before I knew I would be a witness or anything else. Can I read that point, sir?

Q. I will permit you some leeway. If there is something else available that may support your theory or point on here I won't limit you too strictly on that. But I am not going to let you call your assistant, call on assistants on

volumes you engaged in in the past. In other words, I won't permit you to use things outside in a specific manner to support your theories or interpretations of these writings?

A. So I understand I am free?

The Court: I will permit you to, in demonstrating a point.

A. I won't demonstrate this particular point to the jury I am trying to make.

The Court:

Q. Tell us what points you want to demonstrate first?

(Witness at this time reads a book.)

A. The point that I was trying to make to the jury on this quotation was an effort to show that when the masses of the people through the historical process of change marks any social order. When the masses of the people as the result of these changes, come to the conclu- [fol. 1892] sion that they desire an alteration in their government in the form of their system, that the rulers of the whole system visited with the facts that the majority of the people find the old intolerable and want that change, that which is new and in their opinion, better for them; that in the rulers of the old say they do not accept this decision but try to cut out the voice of the future by literally cutting the throats of people who give utterance to this, and in my limited work of the Negro in the Civil War I tried to show that and I have a sentence here.

The Court:

Q. You may use your own words that you have written. I was going to limit your words of other people when they are not here for cross examination.

A. Therefore, with the background on this limited article, on page 44, as I have described the development of opposition to the slavery and struggles of the white people and the Negro to this and the fact this resulted in the legal election of the President of the United States, Abraham Lincoln, who has agreed in his party platform to prevent further extension of slavery.

Mr. Cercone: That is objected to.

[fol. 1893] The Court: The objection is overruled.

A. The President is elected or was elected in 1860 on the platform denying further expansion of slavery. The State holders had power. They are the holders. They are not accepting this Democratic majority of the people. So as I say: "Finally a blood-stained Marxist Oligarchy. Saw its national power ripped from it and its local internal power zealously threatened by revolution of its people, its slave holders know not the rebellion. I go on to this explanation how this revolutionary rebellion on the part of the slave holders to accomplish the peaceful verdict of a majority and they take up arms and fight and the people resist them. In God's name, is this not right?

Q. The resistance in that case was by the majority, was it not?

A. Yes, sir. That is exactly the point.

Mr. Nelson:

Q. The majority in power?

A. Yes.

Q. The majority of people repudiated that?

The Court:

Q. The Rebels were in the minority?

A. Absolutely. That is correct.

Mr. Nelson:

Q. But the minority would not give up their position. [fol. 1894] That is the point you are making?

A. That is right.

Q. And they resorted to arms to fight against a majority?

Mr. Cercone: It is an explanation of the theory and you would have to spend a week on that.

Mr. Nelson: Listen, Mr., you are trying to put me away for 20 years.

The Court:

Q. It gets back to the theory discussed previously that it is a matter of self defense as an advocate of the Marxist

and the Communist in the United States, force by way of self defense if force has been used by someone else. Is that the same theory used previously?

A. It is the majority and in this case the legal majority, though actually in the Government, in this case, Abraham Lincoln, who protected their legality, protection which they desired, and peacefully and sought to take up arms to resist and prevent this peaceful transition. And that is the point and what was done in the Civil War.

Mr. Nelson:

Q. In other words, the majority of the Country in electing Lincoln wanted to do away with slavery, is that right?

Mr. Cercone: That is objected to.

[Vol. 1895] The Court: We are not going into all the reasons why Abraham Lincoln was elected President of the United States. It may have been slavery and other things and I won't allow a discussion on that.

Mr. Nelson:

Q. All right, Doctor, what's next?

A. I would like to turn to the next point made in the indictment, where the quotation refers to the smashing in its own words, of the Bourgeois State Machine, the Bourgeois smashing and the police.

This has reference to the fact that when the majority of the people expressed their will for an alteration in the social order and this expression of their will resisted by the few, when this resistance is successfully met by the mass of a people it is not enough for them to simply meet successfully the resistance if they are to make complete the successful resistance which they have offered to the revolutionary mind. They have got to make complete the thing that they seek.

In other words, as I have said here, if a slave opposite rises, takes arms to forbid the taking of legal power by a legally elected person, it is not only enough to take up arms to destroy the will of the Army but in resisting it the State Machinery has got to be remet. The existence for them is a slave society and you are existing in that

[fol. 1896] society; therefore, if you are to complete the resistance that is the right you have to smash the State Machinery of South Carolina, Georgia and Mississippi as in 1860.

Mr. Cercone:

Q. You are teaching it this week in Social Science?
A. Yes.
Q. The same as in 1860?
A. Yes.
Q. That is right?
A. Yes; that is right, sir. I don't quite get the sarcasm of "that is right". What is right?

Mr. Nelson: Have you completed your answer to that question?

A. Yes.

The Court: Recess until tomorrow morning at 9:30 o'clock.

[fol. 1897] Morning session.
Thursday, January 17, 1952.

Dr. Herbert Aptheker, resumed the stand.

Direct examination (continued)

The Court: Proceed, Mr. Nelson.

Mr. Nelson:

Q. Dr. Aptheker, are you familiar with Commonwealth's Exhibit No. 20, that is Lenin's "State and Revolution" that I have here in my hands?
A. Yes, I am.
Q. Do you recall under what circumstances this book was written? What time was the historical setting for it?
A. It was written in August, 1917, which was at the time of the War, the great European War. It was written at the time that the Russian people, after tremendous casualties suffered in the war, the Russian peasants and the Russian workers, had become disgusted with the war itself and with the tyranny of the Czar and were in the act of

trying to get rid of that Czaristic tyranny; August, 1917, is the date of that book.

Q. And it was written by Lenin; was it not?

A. Yes, it was.

Q. All right. Now, in the Indictment on Page 8 there appears as the sixth of the prosecution's distortions from this pamphlet and there is only one line and I will read [fol. 1898] you that. It appears on page——

A. It's page 17.

Q. Right. It's Exhibit 20 and the quotation is on page 20 also.

Mr. Cercone: This sentence is about the "Bourgeois State"?

Mr. Nelson: Page 17.

Mr. Nelson:

Q. "The Bourgeois State can only be 'put an end to' by a revolution." What is your comment on that? What are your explanations of the meaning of that statement as used by Lenin here or can it be explained by itself without the other background around it, Doctor?

A. Well, it can best be explained in terms of the time in which it is written. It is written, as I have indicated, at a moment of tremendous unrest and turmoil; that is in 1917. In addition to that, what does the sentence say? It says: "The Bourgeois State can only be 'put an end to' by a revolution." Actually, of course, when the nature of a state is altered, that is revolution. This is of the essence of the meaning of that historical process which we call revolution. Therefore, when someone writes that a state can only be put an end to by revolution, it is saying that [fol. 1899] which is almost self-evidence because this is the meaning of the word itself. That is, when we speak of an American Revolution we mean in part the ending of a colonial status; the ending of the status of ownership by Great Britain and a transformation of that type of state into another type, into an independent sovereign republic as our country. In that sense this "Revolution" put an end to the type of government which existed before the Revolution; some colonial imperial dominated government

to a sovereign republic. This is of the essence of "Revolution".

I would like to make this comment also: When one tears out this single sentence from a hundred page book written in 1917, one can perhaps try to give the impression that this sentence had reference to some kind of a terrorist desire or act; some kind of a palace overturned. By this kind of excerpting one can prove practically anything. One can prove——

Mr. Cercone: Your Honor, I think this witness is going far beyond an explanation and is arguing to the jury and making a speech.

The Court: Well, we will let him explain a little further.

A. (Continuing:) —I was saying by this process of excerpting one can prove practically anything. You could [fol. 1900] prove, for example, that Christ said, "Go and sin." He did say, "Go and sin." But he said, "Go and sin no more."

Mr. Cercone: This man is turning out to be a preacher instead of a witness.

The Court: I will sustain the witness. We understand this is an excerpt and the whole book may have——.

Mr. Nelson: I see the prosecution doesn't like to have it brought out.

The Court: That is a matter of argument for the jury. We understand this excerpt. We limited the Commonwealth to excerpts, and we are going to limit you to excerpts. We are not going to have you, Doctor, or any other witness expound on theory and explanation; that is a matter of your argument.

Mr. Nelson: Your Honor permitted the Commonwealth's witnesses to interpret them. You mean you would permit a man like Cvetic, a man who doesn't know whether the [fol. 1901] book is upside or not what it means? You permitted him to testify as an expert.

The Court: I am permitting this witness to testify as an expert and I am permitting him to give his understanding and his interpretation of these paragraphs.

Mr. Nelson: He is trying to illustrate from popular——

The Court: I am not going to let him argue your case to

the jury and that is the only thing I am preventing him from doing. He can explain the excerpt, about the interpretations placed on it by reading the entire book is this and so and let him state what his interpretation is rather than he debate with the jury or the district attorney or argue your case. You can give your interpretations clearly, Doctor, I think, taking it from a reading of the entire context. You may take other excerpts from the book, if you wish, as the Commonwealth did, to emphasize your point but don't [fol. 1902] engage in detail explanation. Just stick to your interpretations as given. That is the prerogative of the lawyers to argue rather than have the witness expound to great lengths on that. You are asked for the interpretations you are able to give and if you want to refer to other parts of the book to emphasize it, well, I am permitting you to do that.

The Witness: May I proceed now?

The Court: Well, you may proceed if it isn't going to proceed in the direction which I have indicated, from which I stopped you from proceeding.

A. I will simply make the statement then that excerpting is a notoriously——

Mr. Cercone: I am going to object to that.

The Court: Objection sustained.

Mr. Cercone: That man is just making a speech to the jury.

[fol. 1903] The Court: What it seeks to accomplish is not your prerogative. You are limited to giving your interpretations of excerpts as taken separately or from the entire context of the book. That is all the Commonwealth did and that it all I am permitting you to do.

A. (Continuing:) —This excerpt——

Mr. Nelson: Your Honor, I want to raise an objection to your interpretation because you have allowed the witnesses of the Commonwealth to interpret things. What did Cvetic do every time he opened his mouth? He said, "I said 'Overthrow the Government'." Where's that in the book? Where's it in the evidence? It comes from the foul mouth of that stool-pigeon and he was allowed to say that.

The Court: Are you through?

Mr. Nelson: Your Honor, I want to ask the Court to [fol. 1904] permit my witness to explain the position of the Communistic Party on these questions and not those who wish to distort those things, and unless you do that you are taking the very heart out of my defense. I didn't ask for the quotations to be tried. They are on trial, your Honor, but they are here in this document. There are 30 of them and we got to explain them in the popular way what they mean, not only by a quotation meeting it with another quotation. Incidentally the doctor wanted to go back to other historical figures and quote on them historically and you didn't permit that, so if you are going to rule that he cannot explain these things, it's going to be almost impossible to carry on this examination.

The Court: Do you want me to rule on this?

Mr. Nelson: Yes, sir.

The Court: You are limited to giving your interpretations of the excerpts as taken separately or from the entire context of the book. You may read other excerpts from the [fol. 1905] book but you are not privileged to expound on theories or bring in to report or buttress your interpretations by anything else.

Mr. Nelson: Well, that is a different ruling you gave yesterday.

The Court: That is the ruling I am giving now.

Mr. Nelson: I want it understood that I am not a lawyer and I don't know the way these things occur. Yesterday you permitted interpretations. What happened overnight, your Honor, that now the interpretations are not going to be permitted to be made by my witness?

The Court: What did I say? Will you please read my ruling? I told you that this witness could give all the interpretations he wanted, he could read excerpts to a limited extent from these books that are in the court room but he was not going to indulge in arguments or expound on [fol. 1906] theories from books not in this court room. Now, if that isn't clear I can't make it any clearer to you or your witnesses.

Mr. Nelson:

Q. All right. Will you finish in the limit of this ruling, Doctor Aptheker, of your exposition of the points we were on before?

A. I would say that taking this fragment from this book might possibly lead one to believe that there was some sort of a justification of terrorist activity. This is false. It is contrary to the meaning and the spirit of the whole book "State and Revolution" and it is contrary to the meaning and spirit of "Marxism-Leninism".

If the Court will permit me, I would like to quote from Marx and from Lenin specifically on this question of terrorism in terms of revolution.

The Court:

Q. From books that are here, Doctor?

A. I don't know all the books that are here.

Q. There are a good many of them. Mention the book that you want to quote from and it can be easily checked whether it's under consideration here.

A. All right, sir. You or somebody else can tell me that. I want to offer to the jury a quotation on this subject from [fol. 490] a book by Marx called "Revolution and Counter-Revolution."

Mr. Nelson: It's not here.

A. Therefore I cannot offer this.

The Court: That is right, sir.

A. The other quotation which I happened to have, pertinent to this, is some works by Lenin, a brief work called "A Dual Power."

Mr. Cerecne:

Q. Would it be in the Selected Works?

A. It may be, depending on which volume you have. I don't know—is there only one volume of this in evidence?

Mr. Nelson: Your Honor, you see what happened? The prosecution has the other volumes and naturally they are.

not available to me. They are not in evidence but they have them.

The Court: Anything taken from your bookshelves is available to you, Mr. Nelson, and that was included in my ruling.

[fol. 1908] Mr. Cercone: If it is listed, it is here, but if it is not on the list we don't have it.

Mr. Nelson: Well, may we come back to this question then after I get a question or examination or pick up those?

The Court: Certainly. We are not precluding you from returning to a subject which hasn't been exhausted.

The Witness: Would you happen to have Vol. 7 of the Selected Works? I think it may be in there. I have 8 and 9.

Mr. Nelson: They haven't introduced them in evidence.

The Court: It doesn't matter whether they were introduced or not. If they have been taken from your books you are entitled to use it.

Mr. Nelson: I am going to look at them at the break, [fol. 1909] your Honor. I can't do it now as it would delay things.

Mr. Nelson:

Q. Suppose you go on, Doctor. Are you through with—we will come back to it later and I wish to ask you another question then.

A. I am through with that question.

The Court:

Q. Do I understand then your interpretation of that provision takes the meaning "peaceful revolution" and not revolution by force? Is that a fair conclusion to be drawn by your interpretations?

A. It means that it has nothing to do with terroristic action nor with advocacy of force and violence.

Mr. Nelson:

Q. Now, the very next short quotation from Exhibit No. 20, which is the "State and Revolution" reads as follows: "The replacement of the bourgeois by the proletarian state

is impossible without a violent revolution." Now, what is your interpretation of that, Doctor?

Mr. Cerecnic: It's on page 20?.

Mr. Nelson: Right.

[fol. 1910] A. Once again this sentence is taken from the 100-page book by Lenin called "State and Revolution" which he wrote in August, 1917. Using this to justify the idea that Marxism-Leninism means or advocates the forceful overthrow of the government of the United States or of Pennsylvania or advocates terrorism or force and violence is erroneous, false, ridiculous.

The meaning of this sentence in its context and in the body of Marxist-Leninist is that which I tried to indicate to you in my replies yesterday and that which I tried to do in my reply five minutes ago. Let me attempt again to state this: Marxism-Leninism holds that the term "revolution" refers not to a single act, not a single moment. It refers to a whole historical process, a movement of many years involving a whole people. That is point No. 1.

Point No. 2 is Marxism-Leninism holds that a revolutionary movement is historical process, must involved the will of the vast majority of the people. Marxism-Leninism holds thirdly that this will, this desire of the vast majority of people for a change will come into conflict with the will of the minority of the few who rule because they own the means of production. When the majority has become sufficiently mature and organized so that it is at the point of winning power, so that it is clear to the minority, to the few, that they face defeat, the minority, the few historically, has generally taken up arms in order to crush the will and the desire of the majority of the people. When this is done, when [fol. 1911] this terroristic counter revolutionary force and violence is used on a mass scale by the minority to defeat the peaceful, legally expressed will of the majority, then resistance to the minority force and violence, if successful, will lead to a change in the form of the government. This will be resisted to the last by the few, by the minority and the majority, legally, peacefully, the majority desiring this will be forced to resist this illegal terrorist violence of the counter revolutionary. This is the essence of this sentence.

The Court:

Q. Where does the Government fit into the picture? Who is in control of the Government when this dispute is going on between the majority and the minority?

A. It would depend on the historical moment, sir. Very often the majority of the people are the legal government, as was true in our case in the American Civil War or in the American Revolution.

It depends also upon the form of the government in which this occurred. If there is some sort of democratic elasticity, some sort of democratic content; then the whole peaceful nature of it is much more possible if it becomes a brutal dictatorship, a tyranny of the few in which the few are perpetually making war upon the many. In any case, as in Fascism, where the many are subjected to force and violence every day of their lives, then the possibility of a feasible [fol. 1912] alteration in that sense is very much more difficult.

Q. I can understand that in a monarchy or a dictatorship where the minority may be in charge of the government. How is it applicable to our system of government where theoretically say the government is in charge of the majority?

A. In our system of government——

A. Applying it to Pennsylvania and the United States of America.

A. Yes, sir, in our system of government. Therefore, the whole idea of Marxism-Leninism and the whole idea of Communism is to peacefully persuade the majority of the American people that Socialism is to their interest, to their immediate interest, and their long range interest; to convince them of this and to get them to vote in favor of this, to think in favor of it and to want it and to feasibly bring about this in our country.

Mr. Nelson:

Q. You mean by that, don't you, Doctor, to elect officials to the Assembly and to Congress who favor such an idea?

A. Exactly. I mean the normal democratic process with which we are familiar.

Q. All right. Since generally we are on this question more or less in all these quotations——

The Court: I think the same theory permeates the others.

[fol. 1913] Mr. Nelson:

Q. Well, coming back at a different angle——

The Court:

Q. How does this apply in the Civil War that you were talking about yesterday?

A. I applied it this way, sir. There was a minority. There wasn't——

Q. The thing that troubles me, Doctor, is that it was a minority, the Southern Slave Owners that took up arms, it wasn't the majority.

A. No, sir. That was why that was not a revolution.

Q. That was a secession.

A. Not only was that a secession, sir, but it was also a counter revolution.

Q. Well, where was the first revolution if it was a counter revolution? If you have a counter revolution you must have a primary revolution.

A. The primary one was the establishment of a democratic republic based upon the Declaration of Independence. The counter revolutionists were the slaveholders who were seeking to destroy that Republic and cut it in half and deny the truth of the Declaration of Independence and it is precisely this anti-progressive, anti-human and people content to this force and violence which made it a minority movement, a conspiratorial one and one against the will of the majority of the people and that is why they took up arms [fol. 1914] and fired upon Fort Sumpter. That is exactly my point, sir.

Mr. Nelson:

Q. The eighth quotation is from page 23 of Exhibit 20, Doctor, and reads as follows: "The overthrow of the bourgeois rule can be accomplished only by the proletariat, and the particular class, which, by the economic conditions of its existence, is being prepared for this work, and is pro-

vided both with the opportunity and the power to perform it."

Mr. Cercone: Just a moment. Was that last sentence read out to the jury? It's the sentence you explained.

A. Yes, sir.

The Court: What was that, No. 7?

Mr. Nelson: Yes, that was read. I believe I read it to the jury.

Mr. Nelson:

Q. Now, what is your interpretation of that statement, Dr. Aptheker?

A. I would like in offering the interpretation, stick to the one point in the sentence which may be new. I do not wish [fol. 1915] again at this moment to refer once more to the whole concept of the rest of the revolution.

Let me just say again that this is a sentence which is taken from "State and Revolution" written by Lenin in 1917. The new item in the sentence is the particular application in it to the growth of a working class, that is, a proletariat; to the fact of the growth of a working class. This is the new item in the sentence and that with the growth of this working class you have developed more numerously, in greater number, that class of people whose interests are contrary to the interests of the ruling class, the bourgeoisie, the owners of the means of production.

Mr. Cercone: Your Honor, we are not getting his own——

The Court: We are getting his interpretation as based on his general idea of Marxism; he is within his limits here. All right, go on Doctor.

A. (continuing) It's a little unusual, sir, to do it this way. If you will give me a certain hesitation after these interruptions.

[fol. 1916] The Court: Take your time to restore your thought.

A. (Continuing) Restricting myself to the sentence, I was saying that it refers to the development of a particu-

lar class, the sentence does, the working class. It is saying that this class grows, it becomes more numerous and that the interests of this class are different from the interests of the employee class, of the owning class——

The Court:

Q. You mean "employer". You said "employee class".

A. I said "employing class". That is, industries expand is what this is saying. It is pointing out that small businesses are gobbled up by big ones, that the big ones become bigger, that you have monopolies which employ tens of thousands of people, of workers. In other words, as capitalism grows, it is saying, the proletariat grows; as industry grows the number of industrial workers becomes more numerous. This is the essence of what this sentence is. That's all it says; that's what it means.

Q. What about that part of it that says: "That particular class is being prepared for this work." What does it mean by "This work"?

A. It means that it is being prepared in its day to day [fol. 1917] life for understanding that its interests are contrary to the interests of the employer. It is being prepared to understand its class, its class needs and the fact that the only thing that can resolve the suffering of its class position, unemployment and depression and so on is a change to socialism. That is what is meant by "being prepared for this work" by its day to day life in the factory and what they see, their needs.

Q. Well, then, I take it from that that doesn't mean they are being prepared for being given the opportunity or the power to accomplish any change by force, violence or terrorism, is that correct?

A. Yes, that is correct.

Mr. Nelson: We come now to a section here, your Honor, that has been cut out because the evidence wasn't introduced, so we will not attempt to go into that.

The Court: That is understood that that is eliminated and the jury will not be advised about it.

Mr. Nelson:

Q. Now on page 9, right after this long quotation that we do not go into, there occurs a statement which reads:

[fol. 1918] "The abolition of bourgeois individuality, bourgeois independence and bourgeois freedom is undoubtedly aimed at." That comes from Exhibit 15 and that is the Communist Manifesto, is it not, Doctor?

A. Yes, sir.

Q. What is the meaning of that, as the Communists teach it and understand it and as you understand it?

A. This is an excerpt from a document over a hundred years old. Again in answering the question put to me, I want to concentrate on that which is new in this sentence. That is: "bourgeois individuality, bourgeois independence and bourgeois freedom."

Here, as I hope the jury will remember yesterday when an excerpt of the indictment referred to "private property" and left out the preceding sentence in which it was made clear that the reference was to "bourgeois property". Here the essence of a true understanding of that sentence is to understand the class conscious nature of the sentence which is why it repeats the word "bourgeois"; that is the ruling class, of the owners of the means of production.

In that sentence, exactly what does this sentence mean? I turn to that question. Marx and Engel in writing this sentence in 1848, according to what they believed to be a fact and what Marxism-Leninism believes to be a fact; namely, the limited nature of individuality, independence and freedom in a capitalistic society. For example: in a [fol. 1919] capitalistic society the worker, Marxism-Leninism believes the worker becomes more and more of a cog in a vast wheel whose center and rim he does not see——

Mr. Cercone: Your Honor, do we have to listen to that?

The Court: Yes, we do. Proceed, Doctor.

A. That is, the worker, he fastens, for example, one screw on one part in an endless chain of automobiles. He does not make the automobile nor does he, as in olden times, make the carriage; there is no pride of workmanship and there is no ownership in that which is produced. There is a loss of creativity. That is a loss of individuality. That is the meaning of this first part of "bourgeois individuality".

The second "bourgeois independence", Marx and Engel and Marxist-Leninist, Communists, I—we—I teach this,

I have in mind the following: that the power I have in mind, the power of wealth in our society and the lack of power, the impotency of poverty in a society which is geared, which is devoted to getting wealth, to becoming rich. This is related to the idea which I believe I mentioned to the jury yesterday, the idea that the rich and poor are equally free to starve or equally free to be unem- [fol. 1920] ployed or live in rat-infested tenements. Legally, perhaps, this is so. They are equally free to do this but in fact we know that with wealth does not go hunger; with wealth does not go unemployment; and with wealth does not go living in rat-infested ghettos and slums.

The Court:

Q. Well, does it include that they are equally free to get rich or better their conditions?

A. No, they are not equally free. They are not equally free because wealth begets wealth, because he who has wealth is in a much better position to get more and he who has nothing but his hands to labor with for someone else is in a very severe handicap to him who owns the means of production.

In terms of freedom I have concluded in a minute and a half, which I must do here, a discussion of this "bourgeois independence". I turn now to "bourgeois freedom" and will try to make that as clear as I can in a minute and a half in terms of what Marxism-Leninism believes that this sentence means.

In terms of freedom, legally, the poor and the rich may publish a newspaper but the rich do and the poor don't. Everyone knows why. Legally, both rich and poor may own a radio station, may take a month off for a vacation cruise, legally, but everyone knows who takes the [fol. 1921] cruise and who owns the radio stations and who pays the broadcasters. Now, who pays the piper calls the tune. These are the facts of freedom in our society, essential facts we believe; I believe. I state under oath this is my belief and this is what that means. This is what the excerpt passage refers to and nothing else.

Mr. Cercone: Your Honor, I am going to object to this witness's speechmaking, hand waving——

Mr. Nelson: I object to that. Mr. Cercone knows how to best handwave in this place and he learned it from his uncle.

Mr. Cercone: He is just reading from stuff and he ought to read it calmly.

The Court: We will overrule the objection and there is no need for further discussion.

Mr. Nelson: If that is the best objection you can make, you might as well quit.

The Court: The objection is overruled and we will have no more comments.

[fol. 1922] Mr. Nelson: If I couldn't do a better job than that I'd jump out of the window.

The Court: Three times I have overruled the objection and have told you to sit down and you are the one who persists in the argument.

Mr. Nelson: Your Honor, I got something at stake here and all he got is a name for a job.

The Court: So have I.

Mr. Nelson: That is correct.

The Court: I have something at stake, the dignity of this court room, and I am going to preserve that dignity at all costs.

Mr. Nelson: I am not going to allow him to throw mud at me.

Mr. Cercone: You are not going to make any remarks about me either.

[fol. 1923] The Court: You gentlemen want to strain my patience. I told both of you to proceed.

Mr. Nelson: They took hours, your Honor, to introduce this material.

The Court: Well, we are giving you hours for whatever opinion you or your witnesses have concerning the material.

Mr. Nelson: I am trying and am being interrupted constantly.

The Court: Well, when you are interrupted by an objection I will overrule the objection or sustain it. If we eliminated all the time lost by debates between counsel in these side remarks, we could have had this case finished long ago.

Mr. Nelson: Your Honor, if the prosecution didn't proceed with a monstrosity like this, there would be no trial at all.

[fol. 1924] The Court: He has a right to object and I am going to recognize that right, the same as you do.

Mr. Nelson:

Q. In Exhibit No. 15, again the "Communist Manifesto", Doctor, on Page 25, the following lines appear and they are in the indictment. They follow the one we just discussed a minute ago and which you commented upon. "In a word"——

Mr. Cercone: That is on Page 25.

Mr. Nelson: Right.

The Court: This is from "The Manifesto" also?

Mr. Nelson: Yes, sir.

Mr. Nelson:

Q. "In a word, you reproach us with intending to do away with your property. Precisely so. That is just what we intend."

Mr. Nelson: Now, your Honor, the question was discussed and the doctor gave an explanation but if I didn't [fol. 1925] meet everyone of these I am sure the prosecution would say I don't want to do so.

The Court: If the interpretation is the same as the previous one to that, he may say so without repeating it.

Mr. Nelson:

Q. Do you have any additional comments on this particular quotation or any interpretation? I believe you commented partly on it yesterday. If there anything else you can add to enlighten us on that question?

A. I would want to say only this. This paragraph is practically identical with the paragraph, No. 3, which we discussed yesterday.

The Court:

Q. Well, just refer to it in a few words, Doctor, without the number; in this sense, the theory of Communism may

be summed up in a single sentence: "Abolition of private property"?

A. Yes, it is practically identical with and coming after that and part of that distortion in the excerpt, in my opinion, is clear because the reference in this sentence is "your property", and the whole point of the sentence is, as in the other case, who is "your"? As in the other case, we saw [fol. 1926] that a sentence was left out, that this was bourgeois property here. Marx and Engels clearly and clearly in the whole pamphlet, are referring to "bourgeois", the ruling class, the owners of the means of production when they say it is that kind of property that they wish to socialize and have owned in common by the mass of people is the point of that sentence.

The Court:

Q. What are the limits of the definition of "bourgeois property"?

A. The limits are those which I indicated yesterday. That is, the means of production, great conglomeration of industry, of coal mines, of railroads, transportation lines, electric power lines—it is the ownership of this property which defines a class. The bourgeoise owns this and it is to socialize this property that the Communist Manifesto refers to in this sentence.

Q. I have a planing mill and employ ten men to make small articles of wood. Would that be included in your "bourgeois property" class?

A. Not in terms of this sentence, no, sir.

Mr. Nelson:

Q. Isn't it true, Doctor, that it is the understanding of the Communists that the Legislature——

Mr. Cerrone: I object to the leading questions.

[fol. 1927] Mr. Nelson: Just you wait. You don't know what I am going to say. Object when I get through. At least you ought to know that.

The Court: Complete your question, Mr. Nelson.

Mr. Nelson: I have a right to place a question, he is my witness.

The Court: Complete the question.

Mr. Nelson:

Q. Isn't it true, Doctor, that the Communists view in this question is that the Legislature and the Congress will pass laws to what extent and what size industries will be nationalized at the particular time, isn't that true?

A. Yes, that is true.

Mr. Cercone: That is objected to.

Mr. Nelson:

Q. In other words, they may leave factories at first, isn't it true, factories or employers who employ fifty people as not coming the category of nationalization?

[fol. 1928] A. Yes, sir. That is true. For example, that is what has been done in China.

The Court:

Q. We want to know the meaning of "bourgeois" now, not what somebody legislates or someone later may explain. What is your intention or contention of the Communists concerning "bourgeois property" at this time?

A. I have answered that as clearly as I can at this time.

Mr. Nelson:

Q. Now, on page 27 of Exhibit 15, Manifesto, the following lines were excerpted by the prosecution: "The bourgeois family will vanish as a matter of course when its complement vanishes, and both will vanish with the vanishing of capital." What is the meaning of that statement, Dr. Aptheker?

A. It is from the Communist Manifesto of 1948. The jury will please notice that in the sentence occurs the words "when its complement vanishes". When that which accompanies it vanishes.

Q. What is the "complement" to which the document refers?

A. This is one of the problems you enter into when excerpting because the preceding paragraph explained what this complement, in an accompanying thing, was to which the sentence refers. Among other things, it made clear that it was referring to such things as prostitution. That is the